



**CONSTITUTIONAL AMENDMENT, LAWS,
AND RULES AND REGULATIONS
COVERING AND REGULATING CONDUCT
OF BINGO AND RAFFLES GAMES**

STATE OF COLORADO

**DEPARTMENT OF STATE
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Section 2. Lotteries prohibited - exceptions. (1) The general assembly shall have no power to authorize lotteries for any purpose; except that the conducting of such games of chance as provided in subsections (2) to (4) of this section shall be lawful on and after January 1, 1959, and the conducting of state-supervised lotteries pursuant to subsection (7) of this section shall be lawful on and after January 1, 1981.

(2) No game of chance pursuant to this subsection (2) and subsections (3) and (4) of this section shall be conducted by any person, firm, or organization, unless a license as provided for in this subsection (2) has been issued to the firm or organization conducting such games of chance. The secretary of state shall, upon application therefore on such forms as shall be prescribed by the secretary of state and upon the payment of an annual fee as determined by the general assembly, issue a license for the conducting of such games of chance to any bona fide chartered branch or lodge or chapter of a national or state organization or to any bona fide religious, charitable, labor, fraternal, educational, voluntary firemen's or veterans' organization which operates without profit to its members and which has been in existence continuously for a period of five years immediately prior to the making of said application for such license and has had during the entire five-year period a dues-paying membership engaged in carrying out the objects of said corporation or organization, such license to expire at the end of each calendar year in which it was issued.

(3) The license issued by the secretary of state shall authorize and permit the licensee to conduct games of chance, restricted to the selling of rights to participate and the awarding of prizes in the specific kind of game of chance commonly known as bingo or lotto, in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in the specific game of chance commonly known as raffles, conducted by the drawing of prizes or by the allotment of prizes by chance.

(4) Such games of chance shall be subject to the following restrictions:

(a) The entire net proceeds of any game shall be exclusively devoted to the lawful purposes of organizations permitted to conduct such games.

(b) No person except a bona fide member of any organization may participate in the management or operation of any such game.

(c) No person may receive any remuneration or profit for participating in the management or operation of any such game.

(5) Subsections (2) to (4) of this section are self-enacting, but laws may be enacted supplementary to and in pursuance of, but not contrary to, the provisions thereof.

(6) The enforcement of this section shall be under such official or department of government of the state of Colorado as the general assembly shall provide.

12-9-101. Short title. This article shall be known and may be cited as the "Bingo and Raffles Law".

12-9-102. Definitions. As used in this article, unless the context otherwise requires:

(1) "Bingo" means a game of chance played, with or without the aid of an electronic device, for prizes using cards or sheets containing five rows of five squares bearing numbers, except for the center square which is a free space. Traditional bingo also requires that the letters "B I N G O" appear in order over each column. The holder of a card or sheet matches the numbers on such card or sheet to numbers randomly drawn. The game is won when a previously designated arrangement of numbers on such card or sheet is covered.

(1.1) "Bingo aid computer system" means a computer system that interfaces with and controls the use of electronic devices used as aids in the game of bingo.

(1.2) "Bingo-affle licensee" means any qualified organization to which a bingo-affle license has been issued by the licensing authority.

(1.3) "Bingo-affle manufacturer" means a person, other than a bingo-affle licensee, who makes, assembles, produces, or otherwise prepares pull tabs, bingo cards or sheets, electronic devices used as aids in the game of bingo, or other equipment or parts thereof for games of chance, as defined in subsection (7) of this section. "Bingo-affle manufacturer" does not include a person who prints raffle tickets, other than pull tabs, for and at the request of a bingo-affle licensee.

(1.4) "Bingo-affle supplier" means a person, other than a bingo-affle licensee, who sells, distributes, or otherwise furnishes pull tabs, bingo cards or sheets, electronic devices used as aids in the game of bingo, or other games of chance equipment, as defined in subsection (5) of this section. "Bingo-affle supplier" does not include a person who prints raffle tickets, other than pull tabs, for and at the request of a bingo-affle licensee.

(1.5) "Board" means the Colorado bingo-affle advisory board created in section 12-9-201.

(1.6) "Card" means either a disposable and nonreusable paper bingo card identified by color, serial number, and card number, or a reusable bingo card intended for repeated use, including but not limited to a hard card or shutter card. "Card" does not include an electronic representation or electronic image of a bingo card.

(1.7) "Charitable gaming" means bingo, pull tab games, and raffles, as defined in subsections (1), (18.1), and (19.3) of this section.

(1.8) "Charitable organization" means any organization, not for pecuniary profit, that is operated for the relief of poverty, distress, or other condition of public concern within this state and that has been so engaged for five years prior to making application for a license under this article.

(2) "Chartered branch or lodge or chapter of a national or state organization" means any such branch or lodge or chapter that is a civic or service organization, not for pecuniary profit, and authorized by its written constitution, charter, articles of incorporation, or bylaws to engage in a fraternal, civic, or service purpose within

this state and that has been so engaged for five years prior to making application for a license under this article.

(2.3) "Commercial bingo facility" means premises rented by a bingo-raffle licensee for the purpose of conducting games of chance.

(2.5) "Commercial landlord" means any person renting or offering to rent a commercial bingo facility to any bingo-raffle licensee.

(2.7) "Deal" means each separate package or series of packages of pull tabs with the same name, form number, serial number, and color code.

(3) "Dues-paying membership" means those members of an organization who pay regular monthly, annual, or other periodic dues or who are excused from paying such dues by the bylaws, articles of incorporation, or charter of the organization and those who contribute voluntarily to the corporation or organization to which they belong for the support of such corporation or organization.

(4) "Educational organization" means any organization within this state, not organized for pecuniary profit, whose primary purpose is educational in nature and designed to develop the capabilities of individuals by instruction and that has been in existence for five years prior to making application for a license under this article.

(5) "Equipment" means: With respect to bingo or lotto, the receptacle and numbered objects drawn from it, the master board upon which such objects are placed as drawn, the cards or sheets bearing numbers or other designations to be covered and the objects used to cover them, the board or signs, however operated, used to announce or display the numbers or designations as they are drawn, public address system, and all other articles essential to the operation, conduct, and playing of bingo or lotto; or, with respect to raffles, implements, devices, and machines designed, intended, or used for the conduct of raffles and the identification of the winning number or unit and the ticket or other evidence or right to participate in raffles. "Equipment" does not include electronic devices used as aids in the game of bingo.

(5.5) "Exempt organization" means an organization that complies with each of the following criteria:

(a) That is exempt from taxation under section 501 (c) (3) of the federal "Internal Revenue Code of 1954", as amended through December 31, 1984;

(b) Of the type commonly known as a community chest, which organizes and carries out intensive, limited-time, and community-wide fund drive campaigns by volunteer workers soliciting charitable contributions from a broad base of citizens and businesses in the community with the objective of providing financial support to other organizations that are exempt from taxation under section 501 (c) (3) of the federal "Internal Revenue Code of 1954", as amended through December 31, 1984, and that provides charitable, educational, civic, health, or human services within the same community and that has the further objective of minimizing the necessity for multiple, overlapping, and competing fund drives by such recipient organizations to enable them to deliver such services;

(c) That assists in acquiring noncash prizes donated by participating private businesses or government agencies as an ancillary means of creating interest in a charitable fund-raising drive held by such business or agency;

(d) That collects voluntary contributions and distributes more than eighty percent of such contributions to other organizations that are exempt from taxation under section 501 (c) (3) of the federal "Internal Revenue Code of 1954", as amended through December 31, 1984, and that provide charitable, educational, civic, health, or human services;

(e) On behalf of whose fund-raising drives drawings are held by participating private businesses or government agencies, which drawings are open only to the employees of such businesses or agencies and are not open to the general public;

(f) Whose fund-raising drives are jointly planned and managed by the participating private businesses and government agencies; and

(g) Whose fund-raising drives include only the awarding of noncash prizes by the participating private businesses or government agencies.

(6) "Fraternal organization" means any organization within this state, including college and high school fraternities, not for pecuniary profit, that is a branch, lodge, or chapter of a national or state organization and exists for the common business, brotherhood, or other interests of its members and that has so existed for five years prior to making application for a license under this article. "Fraternal organization" also includes a graduate or alumni division or branch of a college fraternity, which division or branch holds a charter issued by the state of Colorado and that meets all other criteria set forth in this subsection (6). As used in this subsection (6), "fraternity" includes a sorority.

(7) "Game of chance" means that specific kind of game of chance commonly known as bingo or lotto in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and that specific kind of game of chance commonly known as raffles that is conducted by drawing for prizes or the allotment of prizes by chance, by the selling of shares or tickets or rights to participate in such a game.

(8) "Gross receipts" means receipts from the sale of shares, tickets, or rights in any manner connected with participation in a game of chance or the right to participate therein, including any admission fee or charge, the sale of equipment or supplies, the sale or lease of electronic devices used as aids in the game of bingo, and all other miscellaneous receipts.

(9) "Labor organization" means any organization, not for pecuniary profit, within this state that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work and that has existed for such purpose and has been so engaged for five years prior to making application for a license under this article.

(9.5) "Landlord licensee" means the holder of a current, valid commercial landlord license.

(10) "Lawful purposes" means the lawful purposes of organizations permitted to conduct games of chance, as provided in section 2 of article XVIII of the state constitution.

(11) "Lawful use" means the devotion of the entire net proceeds of a game of chance exclusively to lawful purposes.

(11.5) "License" means any license or certification issued by the licensing authority pursuant to this article, including, without limitation, the certification of a games manager pursuant to section 12-9-105.1.

(12) "Licensed agent" means an individual who holds a current, valid agent's license for a bingo-raffle manufacturer or supplier.

(12.5) "Licensee" means the holder of any license or certification issued by the licensing authority pursuant to this article. "Licensee" includes the former holder of such license or certification for purposes of investigation of activities that took place during the period in which such license or certification was effective.

(13) "Licensing authority" means the secretary of state or his or her duly authorized deputy.

(13.3) "Manufacturer's agent" means an individual who represents a manufacturer in any of its activities in connection with the presales, driver sales, or distribution with excess stock of pull tabs, bingo cards or sheets, electronic devices used as aids in the game of bingo, or other games of chance equipment; except employees of commercial delivery services.

(13.5) "Manufacturer licensee" means the holder of a current, valid Colorado manufacturer license.

(14) "Member" means an individual who has qualified for membership in a qualified organization pursuant to its bylaws, articles of incorporation, charter, rules, or other written statement.

(15) "Net proceeds" means the receipts less such expenses, charges, fees, and deductions as are specifically authorized under this article.

(16) "Occasion" means a single gathering or session at which a series of successive bingo or lotto games is played, not to exceed thirty-five in number.

(17) "Person" means a natural person, firm, association, corporation, or other legal entity.

(18) "Premises" means any room, hall, enclosure, or outdoor area used for the purpose of playing a game of chance.

(18.1) "Pull tab game" means a type of game of chance commonly known as a pickle, break-open, jar raffle, last sale ticket, or seal card for which tickets are preprinted with markings distinguishing winners and nonwinners, each ticket so made that its markings and winning or nonwinning status cannot be known or revealed until the ticket is broken or torn apart.

(19) "Qualified organization" means any bona fide chartered branch, lodge, or chapter of a national or state organization or any bona fide religious, charitable, labor, fraternal, educational, voluntary firefighters', or veterans' organization operating without profit to its members that has been in existence continuously for a period of five years immediately prior to the making of an application for a license under this article and that has had, during the entire five-year period, a dues-paying membership engaged in carrying out the objects of said corporation or organization, and the Colorado state fair authority.

(19.3) "Raffle" means a game in which a participant buys a ticket for a chance at a prize with the winner determined by a random drawing to take place at a set location and date or a pull tab ticket as described in subsection (18.1) of this section. The term "raffle" does not mean and shall not be interpreted to include any activity that is authorized or regulated by the state lottery division pursuant to part 2 of article 35 of title 24, C.R.S., or the "Limited Gaming Act of 1991", article 47.1 of this title.

(20) "Religious organization" means any organization, church, body of communicants, or group, not for pecuniary profit, gathered in common membership for mutual support and edification in piety, worship, and religious observances or a society, not for pecuniary profit, of individuals united for religious purposes at a definite place that organization, church, body of communicants, group, or society has been so gathered or united for five years prior to making application for a license under this article.

(20.1) "Sheet" means a leaf of paper upon which is printed one or more disposable bingo cards.

(20.3) "Supplier's agent" means an individual who represents a bingo-affle supplier in the course of the bingo-affle supplier's presales, driver sales, or distribution with excess bingo-supplier stock, electronic devices used as aids in the game of bingo, or chance equipment on hand; except employees of commercial delivery services.

(20.5) "Supplier licensee" means the holder of a current, valid Colorado supplier license.

(21) "Veterans' organization" means any organization within this state or any branch, lodge, or chapter of a national or state organization within this state, not for pecuniary profit, the membership of which consists of individuals who were members of the armed services or forces of the United States, that has been in existence for five years prior to making application for a license under this article.

(22) "Voluntary firefighters' organization" means any organization within this state, not for pecuniary profit, established by the state or any of its political subdivisions that has been in existence for five years prior to making application for a license under this article.

12-9-102.3. Fraud and deception prohibited. (1) No bingo-affle licensee, landlord licensee, bingo-affle supplier, bingo-affle manufacturer, or any member or agent thereof engaged in any charitable gaming activity shall directly or indirectly:

(a) Employ any device, scheme, or artifice to defraud or deceive;

(b) Intentionally make any untrue or misleading statement of fact; or

(c) Engage in any act, practice, or course of conduct constituting fraud or deceit.

12-9-102.5. Legislative declaration - consideration for tickets - conditions. (1) The general assembly hereby finds and declares that prize promotions involving the conduct of free product giveaways through the use of free chances for purposes of commercial advertisement, the creation of goodwill, the promotion of new products or services, or the collection of names should not be subject to regulation under this article. Such giveaways shall be exempt from regulation under this article when all of the conditions set forth in this section are satisfied.

(2) No award of prizes by chance for a purpose set forth in subsection (1) of this section shall be deemed a lottery or game of chance, nor shall any share or ticket or right to participate in such award of prizes be deemed to have been sold or charged for, notwithstanding that such award is made to persons who have paid a fee entitling them to general admission to the grounds or premises on which such award is made, if each share or ticket by means of which the award is made is given away free of charge and without any obligation on the part of the person receiving it.

(3) (Deleted by amendment, L. 99, p. 1411, § 1, effective June 5, 1999.)

(4) (a) Notwithstanding subsection (2) of this section, and except as otherwise provided in paragraph (d) of this subsection (4), this section shall not authorize the award by any landlord licensee, at premises where games of chance are conducted, of a cash prize in any amount, a prize that is redeemable for cash in any amount, or a prize of a product or service having a value greater than one thousand dollars, whether or not a fee is paid for admission to the premises as a condition of participating in an award of prizes as set forth in subsection (2) of this section. Within ten days after the award of any prize, the landlord licensee shall file with the licensing authority a written report containing a description of the prize, the value of the prize, and such other information as the licensing authority may require by rule. Any prize offered pursuant to this section shall be awarded by the end of the calendar quarter in which it was offered.

(b) A landlord licensee may conduct a prize promotion on its premises either before or after a bingo-raffle licensee's bingo occasion. A landlord licensee may conduct a promotion during an occasion held on its premises if the promotion and its cost, if any, to the bingo-raffle licensee is clearly disclosed in the rental agreement pursuant to rules adopted by the licensing authority. A landlord licensee shall not require a bingo-raffle licensee to participate in or conduct a promotion under this section, nor may a games manager for any occasion assist in any such promotion conducted during an occasion. Prizes offered as part of a promotion shall not be considered as part of the prizes subject to limitation under section 12-9-107 (13).

(c) Before conducting a promotion under this section, the landlord licensee shall provide evidence of ownership, free and clear, of the prizes to be offered unless all such prizes are available for viewing on the premises on the day they are to be awarded. The landlord licensee offering any promotional prize shall disclose, at the beginning of the promotion, full and complete information identifying the prizes to be awarded and the method by which such prizes may be won. This disclosure need not be made separately or personally to each participant, but may be made by conspicuously posting or displaying, at the premises where the promotion is being conducted, either the available prizes themselves or a list and complete description of the prizes and the method by which they may be won.

(d) The licensing authority may increase by rule the amount or value of a prize of a product or service that may be allotted.

12-9-103. Licensing authority - powers - duties - license suspension or revocation proceedings. (1) The secretary of state is hereby designated as the "licensing authority" of this article. As state licensing authority, the secretary of state's powers and duties are as follows:

(a) (I) To grant or refuse to grant bingo-raffle licenses under this article and to grant or refuse to grant licenses to landlords, manufacturers, manufacturers' agents, suppliers, and suppliers' agents. All such licenses and applications for such licenses shall be made available for inspection by the public. In addition, the licensing authority has the power and the responsibility, after investigation and hearing before an administrative law judge, to suspend or revoke any license issued by the licensing authority, in accordance with any order of such administrative law judge. When a license is ordered suspended or revoked, the licensee shall surrender the license to the licensing authority on or before the effective date of the suspension or revocation. No license is valid beyond the effective date of the suspension or revocation, whether surrendered or not. Any bingo-raffle license may be temporarily suspended for a period not to exceed ten days pending any prosecution, investigation, or public hearing.

(II) In lieu of seeking a suspension or revocation of any license issued by the licensing authority, the licensing authority may impose a reasonable fine for any violation of this article or any rule adopted pursuant to this article, not to exceed one hundred dollars per citation. The imposition of any such fine may be appealed to an administrative law judge.

(III) The refusal of the licensing authority to grant or renew a license shall entitle the applicant to administrative review of such refusal by an administrative law judge in accordance with subsection (2) of this section.

(IV) If a licensee fails to file a report within the time required by this article, or if such report is not properly verified or is not fully, accurately, and truthfully completed on its face, the

licensing authority may refuse to renew the licensee's license until the licensee has corrected such failure or deficiency. If the licensing authority refuses to renew a license pursuant to this subparagraph (IV), the licensee shall not engage in activity authorized by such license until such license is renewed.

(b) To supervise the administration and enforcement of this article and, in consultation with the board, to adopt, amend, and repeal rules and regulations governing the holding, operating, and conducting of games of chance, and the purchase of equipment and the establishment of a schedule of reasonable fines, not to exceed one hundred dollars per citation, for violation by licensees of this article or of rules adopted pursuant to this article, to the end that games of chance shall be held, operated, and conducted only by licensees for the purposes and in conformity with the state constitution and the provisions of this article;

(c) To provide forms for and supervise the filing of any reports made by mail, computer, electronic mail, or any other electronic device by any licensee;

(d) Upon application by any licensee, to issue a letter ruling granting approval for any new concept, method, technology, practice, or procedure that may be applied to, or used in the conduct of, games of chance that are not in conflict with the constitution or this article. Application for such approval shall be submitted in a form prescribed by the licensing authority. If an application is not acted upon within forty-five days after receipt by the licensing authority, the licensee may implement such concept, method, technology, practice, or procedure so long as it is not in conflict with the constitution or this article; except that the licensing authority's failure to act upon an application within forty-five days after receipt shall not preclude the licensing authority from later filing a complaint challenging such concept, method, technology, practice, or procedure on the ground that it is in conflict with the constitution or this article. An adverse ruling on such application may be appealed to an administrative law judge.

(e) To keep records of all actions and transactions relating to licensing and enforcement activity;

(f) To prepare and transmit annually, in the form and manner prescribed by the heads of the principal departments pursuant to the provisions of section 24-1-136, C.R.S., a report accounting to the governor for the efficient discharge of all responsibilities assigned by law or directive to the authority, and to issue publications of the authority intended for circulation in quantity outside the executive branch in accordance with the provisions of section 24-1-136, C.R.S.;

(g) To license devices for reading pull tabs as provided in section 12-9-107.7; except that the licensing authority shall not impose or collect any fee for the issuance of such a license.

(2) The licensing authority may suspend or revoke a license pursuant to the provisions of section 24-4-104, C.R.S. Hearings that are held for the purpose of determining whether a licensee's license should be revoked or suspended shall be conducted by an administrative law judge appointed pursuant to part 10 of article 30 of title 24, C.R.S., and shall be held in the manner and pursuant to the rules and procedures described in sections 24-4-104, 24-4-105, and 24-4-106, C.R.S. Hearings shall be held and concluded, in accordance with such rules, with reasonable dispatch and without unnecessary delay, and a decision shall be issued within ten days after such hearing.

(3) (a) Upon a finding by an administrative law judge of a violation of this article, the rules adopted pursuant to this article, or

any other provision of law, such as would warrant the suspension or revocation of a license, in addition to any other penalties that may be imposed, the licensing authority may declare the violator ineligible to conduct a game of bingo and to apply for a license pursuant to this article for a period not exceeding twelve months after the date of such declaration. Such declaration of ineligibility may be extended to include, in addition to the violator, any of its subsidiary organizations, its parent organization, or otherwise, affiliated with the violator when, in the opinion of the licensing authority, the circumstances of the violation warrant such action.

(b) The decision of the administrative law judge in any controversy concerning licensing, the imposition of a fine, or the approval of any proposed new concept, method, technology, practice, or procedure shall be final and subject to review by the court of appeals, pursuant to the provisions of section 24-4-106 (11), C.R.S.

(4) The licensing authority shall forward to the bingo-affle advisory board, created in section 12-9-201, within seven days after receipt, a copy of every complaint against a licensee that is received by the licensing authority.

(5) Upon an administrative or judicial finding of a violation of this article, the rules adopted pursuant to this article, or any other provision of law, such as would warrant the suspension or revocation of a license, the licensing authority, in addition to any other penalties that may be imposed, may issue an order excluding the violator or any owner, officer, director, or games manager of the violator from the licensed premises during the conduct of games of chance.

12-9-103.5. Fees - department of state cash fund. (1) All fees collected by the licensing authority pursuant to this article shall be transmitted to the state treasurer who shall credit the same to the department of state cash fund created in section 24-21-104 (3) (b), C.R.S., also referred to in this section as the "fund". The moneys in the fund shall be subject to annual appropriation by the general assembly for the purposes of financing the licensing and enforcement activities of the secretary of state as specified in this article.

(2) (Deleted by amendment, L. 2002, p. 1648, § 5, effective August 7, 2002.)

(3) Fees authorized by this article shall be established by the licensing authority, in consultation with the board, in amounts sufficient to ensure that the total revenue generated by the collection of such fees approximates the direct and indirect costs incurred by the licensing authority in carrying out its duties under this article. The amounts of all fees shall be reviewed annually. The licensing authority shall furnish to the board both an annual and a quarterly accounting of all fee and fine revenues received and expenditures made pursuant to this article, together with a list of all fees in effect.

(4) All fines assessed pursuant to this article shall be paid to the state treasurer who shall credit the same to the general fund of the state.

12-9-104. Bingo-affle license - fee. (1) Any bona fide chartered branch, lodge, or chapter of a national or state organization or any bona fide religious, charitable, labor, fraternal, educational, voluntary firefighters', or veterans' organization or any association, successor, or combination of association and successor of any of the said organizations that operates without profit to its members and that has been in existence continuously for a period of five years immediately prior to the making of application for a bingo-affle license under this article and has had during the entire five-year period dues-paying members engaged in carrying out the objects of

said corporation or organization is eligible for a bingo-affle license to be issued by the licensing authority under this article. In the event any license is revoked, the bingo-affle licensee and holder thereof is not eligible to apply for another license under subsection (2) of this section until after the expiration of the period of one year from the date of such revocation.

(2) The bingo-affle licenses provided by this article shall be issued by the licensing authority to applicants qualified under this article upon payment of a fee established in accordance with section 12-9-103.5 (3). Licenses shall expire at the end of the calendar year in which they were issued by the licensing authority and may be renewed by the licensing authority upon the filing of an application for renewal thereof provided by the licensing authority and the payment of the fee established for such renewal. No license granted under this article or any renewal thereof shall be transferable. The fees required to be paid for a new or renewal license shall be deposited in the bingo-affle cash fund.

12-9-104.5. Landlord licensees - stipulations. (1) No person except a landlord licensee shall rent or offer to rent to any bingo-affle licensee any premises to be used to conduct games of chance. A lease of the premises for a bingo occasion shall be for a period of at least five consecutive hours unless the landlord licensee and bingo-affle licensee agree to a shorter or longer period. The amount of rent to be charged, and the method used to calculate such rent, shall be established by agreement between the parties.

(2) No landlord licensee or any employee of a landlord licensee shall require, induce, or coerce a bingo-affle licensee to enter into any contract, agreement, or lease contrary to the provisions of this article.

(3) No landlord licensee or any employee of a landlord licensee shall require, induce, or coerce a bingo-affle licensee to purchase supplies or equipment, or to purchase or lease electronic devices used as aids in the game of bingo, from a particular supplier, distributor, or manufacturer as a condition of conducting games of chance at a commercial bingo facility.

(4) Rent charged to a bingo-affle licensee by a landlord licensee for the use of a commercial bingo facility shall cover all expenses and items reasonably necessary for the use of the commercial bingo facility for a bingo occasion including, but not limited to, insurance and maintenance for such facility, adequate and secure storage space, restrooms, janitorial services, and utilities.

(5) No activity or business other than licensed games of chance may be conducted in a commercial bingo facility within space leased to a bingo-affle licensee during the time allocated to the bingo-affle licensee with the exception of the sale of food, beverages, bingo-related merchandise and supplies, the operation of an automated cash service device, and such other activities and businesses as the bingo-affle licensee may agree to. A landlord licensee may conduct other businesses and activities in space not included in the bingo-affle licensee's rental agreement and in which games of chance are not held.

(6) No landlord licensee or any employee or agent of a landlord licensee shall be a party responsible for or assisting with the conduct, management, or operation of any game of chance within Colorado; except that a landlord licensee that is also a bingo-affle licensee may conduct such activities as its bingo-affle license allows exclusively on its own behalf.

(7) Notwithstanding subsection (6) of this section, a landlord,

supplier, or manufacturer licensee may instruct and train a bingo-raffle licensee in the repair, operation, and maintenance of bingo-raffle equipment, subject to specific criteria established by rule.

(8) Every landlord licensee shall file with the licensing authority all leases, agreements, and other documents required in order for a bingo-raffle licensee to lease its commercial bingo facility.

12-9-105. Application for bingo-raffle license. (1) Each applicant for a bingo-raffle license to be issued under the provisions of this section shall file with the licensing authority a written application in the form prescribed by the licensing authority, duly executed and verified, and in which shall be stated:

(a) The name and address of the applicant;

(b) Sufficient facts relating to its incorporation and organization to enable the licensing authority to determine whether or not it is a bona fide chartered branch, lodge, or chapter of a national or state organization or a bona fide religious, charitable, labor, fraternal, educational, voluntary firefighters', or veterans' organization that operates without profit to its members, has been in existence continuously for a period of five years immediately prior to the making of said application for such license, and has had during the entire five-year period dues-paying members engaged in carrying out the objectives of said applicant;

(c) The names and addresses of its officers;

(d) The specific kind of games of chance intended to be held, operated, and conducted by the applicant;

(e) (I) The place where such games of chance are intended to be held, operated, and conducted by the applicant under the license applied for; or

(II) In the case of the application of an exempt organization, the place or places where drawings are intended to be held, operated, and conducted by the organization under the license applied for;

(f) A statement that no commission, salary, compensation, reward, or recompense will be paid to any person for holding, operating, or conducting such games of chance or for assisting therein except as otherwise provided in this article;

(g) Such other information deemed advisable by the licensing authority to insure that the applicant falls within the restrictions set forth by the state constitution.

(2) (a) In each application there shall be designated active members of the applicant organization under whom the games of chance described in the application are to be held, operated, and conducted, and to the application shall be appended a statement executed by the applicant and by the members so designated that they will be responsible for the holding, operation, and conduct of such games of chance in accordance with the terms of the license and the provisions of this article.

(b) Each designated games manager shall have been an active member of the applicant for at least the six months immediately preceding his or her designation and shall be certified by the licensing authority pursuant to section 12-9-105.1 before assuming games management duties.

(3) In the event any premises are to be leased or rented in connection with the holding, operating, or conducting of any game of chance under this article, a written statement shall accompany the application signed and verified by the applicant, which shall state the address of the leased or rented premises and the amount of rent that will be paid for said premises and which shall certify that the premises are to be rented from a landlord licensee.

12-9-105.1. Games managers - certification. (1) The licensing authority shall issue a games manager certification to any qualified applicant who has demonstrated sufficient knowledge of this article, as determined by the licensing authority, and who has paid the fee established in accordance with section 12-9-103.5 (3). A games manager certification shall be valid for a time period to be determined by the licensing authority by rule, and may be denied, suspended, or revoked for any violation of this article or any rule or order of the licensing authority promulgated or issued pursuant to this article.

(2) A person shall not be eligible for certification or act as a games manager in the conduct of any game of chance pursuant to this article if such person has been convicted of any felony or any offense involving gambling.

(3) A person shall not be designated or serve as a games manager for more than three bingo-raffle licensees simultaneously. The licensing authority may promulgate rules establishing the circumstances under which a person may be designated and serve as games manager for more than three, but in no event more than five, bingo-raffle licensees within a specified period of time.

12-9-105.3. Application for landlord license - fee. (1) Each applicant for a landlord license shall file with the licensing authority a written application, duly executed and verified, in the form presented by the licensing authority, which application shall include, but not be limited to, the following information:

(a) The name and address of the landlord and, if such commercial landlord is a corporation, partnership, association, or other business entity, the names and addresses of all partners, associates, and persons holding an ownership interest of ten percent or more;

(b) The name and address of the landlord's resident agent if the commercial landlord does not reside in Colorado and the location in Colorado where its records will be available to the licensing authority;

(c) The location of the premises for which the applicant is seeking such license;

(d) A statement by the landlord or the chief executive officer of the landlord that the landlord is familiar with the provisions of this article as to commercial bingo facilities and landlords thereof and accepts responsibility for compliance with such provisions;

(e) A plan or blueprint of the facility to be rented and its dimensions, together with copies of the applicant's lease or deed to the premises and copies of all zoning, building, fire safety, and other clearances and permits for use of the premises as a commercial bingo facility; and

(f) A statement by the landlord or the chief executive of the landlord that the primary purpose of the premises described in paragraph (e) of this subsection (1) is the conduct of bingo occasions.

(2) Each application shall designate an individual who shall act as agent for the landlord and who shall receive all communications concerning the license.

(3) There shall be attached to each application an affidavit signed by the applicant stating that the landlord has not been convicted of any felony or any gambling-related offense as defined in article 10 of title 18, C.R.S. If the landlord is a corporation, limited liability company, or partnership, such affidavit shall make such verification as to each officer and director of such corporation, each member and manager of such limited liability company, or each partner and associate of such partnership.

(4) A landlord license shall expire at the end of the calendar

year in which it was issued. Each license issued shall be conspicuously displayed at the premises for which the license has been issued. No landlord license is transferable. The annual fee for each landlord license shall be established in accordance with section 12-9-103.5 (3).

12-9-105.5. Application for manufacturer license. (1) Each application for a manufacturer license shall include, but not be limited to, the following information:

- (a) The name and address of the applicant;
- (b) The name and address of the manufacturer and, if the manufacturer is a corporation, the name and address of each officer, director, and shareholder holding an ownership interest of ten percent or more;
- (c) A description of the equipment and the electronic devices used as aids in the game of bingo manufactured in connection with games of chance activities in Colorado;
- (d) The name and address of the resident agent of the manufacturer if the applicant does not reside in Colorado and the location in Colorado where the records of the manufacturer will be available to the licensing authority;
- (e) The names and addresses of the Colorado suppliers and agents of the manufacturer; and
- (f) A statement by the manufacturer or the chief executive officer of the manufacturer that such manufacturer is familiar with the provisions of this article as to bingo-raffle manufacturers and accepts responsibility for compliance with such provisions.

(2) To each application for a manufacturer license shall be attached a statement that the applicant or its owners or its officers or directors if a corporation, or its members, managers, partners, or associates if another business entity, has not been convicted of any felony or any offense involving gambling as defined in article 10 of title 18, C.R.S.

(3) Any bingo-raffle manufacturer, as defined in section 12-9-102 (1.3), upon filing a true, complete, written, verified application in the form presented by the licensing authority, together with the fee for the license, is eligible for a manufacturer license. A manufacturer license shall be renewed annually, on or before March 31 of each year in which such licensee engages in or anticipates engaging in a licensed activity. A manufacturer license is nontransferable. The annual fee for each license shall be established in accordance with section 12-9-103.5 (3).

12-9-105.7. Application for supplier license. (1) Each application for a supplier license shall include, but not be limited to, the following information:

- (a) The name and address of the applicant;
- (b) The name and address of the supplier and, if the supplier is a corporation, the name and address of each officer, director, and shareholder holding an ownership interest of ten percent or more;
- (c) A description of the equipment, electronic devices used as aids in the game of bingo, and supplies sold or distributed in connection with games of chance activities in Colorado;
- (d) The name and address of the resident agent of the supplier if the applicant does not reside in Colorado and the location in Colorado where the records of the supplier will be available to the licensing authority;
- (e) The names and addresses of the Colorado agents of the supplier; and
- (f) A statement by the supplier or the chief executive officer of the supplier that such supplier is familiar with the provisions of

this article as to bingo-raffle suppliers and accepts responsibility for compliance with such provisions.

(2) To each application for a supplier license shall be attached a statement that the applicant or its owners or its officers or directors if a corporation, or its members, managers, partners, or associates if another business entity, has not been convicted of any felony or any offense involving gambling as defined in article 10 of title 18, C.R.S.

(3) Any bingo-raffle supplier, as defined in section 12-9-102 (1.4), upon filing a true, complete, written, verified application in the form presented by the licensing authority, together with the fee for the license, is eligible for a supplier license. A supplier license shall be renewed annually, on or before March 31 of each year in which such licensee engages in or anticipates engaging in a licensed activity. A supplier license is nontransferable. The annual fee for each license shall be established in accordance with section 12-9-103.5 (3).

12-9-105.9. Application for manufacturer's agent license or supplier's agent license. (1) Each application for a manufacturer's agent license or supplier's agent license shall include, but not be limited to, the following information:

- (a) The name and address of the applicant;
- (b) The name and address of the supplier or manufacturer represented by the applicant;
- (c) A statement by the applicant that he or she has read, understands, and will comply with the provisions of this article as to manufacturer's and supplier's agents and the conditions of the agent's license;

(d) A statement by the chief executive officer of the manufacturer or supplier represented by the agent, which statement acknowledges consent to representation by the applicant; and

(e) The location in Colorado where the agent's records of sales and distributions of bingo and raffle equipment, electronic devices used as aids in the game of bingo, and supplies will be available to the licensing authority.

(2) To each agent's application shall be attached a statement that the applicant has not been convicted of any felony or any offense involving gambling as defined in article 10 of title 18, C.R.S.

(3) Any supplier's agent or manufacturer's agent as defined in section 12-9-102 (13.3) and (20.3), upon filing a complete, written, verified application in the form presented by the licensing authority, together with the fee for the license, is eligible for a manufacturer's or supplier's agent license. A manufacturer's or supplier's agent license shall be renewed annually, on or before March 31 of each year in which such licensee engages in or anticipates engaging in a licensed activity. Neither a manufacturer's agent license nor a supplier's agent license is transferable. The annual fee for each license shall be established in accordance with section 12-9-103.5 (3).

12-9-106. Form of bingo-raffle licenses - display. (1) Each bingo-raffle license shall contain a statement of the name and address of the licensee and the place where such bingo or lotto games or the drawing of the raffles is to be held. Any such license issued for an exempt organization shall provide for the inclusion of the place or places where drawings are to be held. Each bingo-raffle license issued for the conduct of any such games of chance shall be conspicuously displayed at the place where the same is to be conducted or the drawings held at all times during the conduct thereof. An exempt organization may comply with the requirements of this section by providing

written notice of such a license to all employees of a participating private business or government agency holding a fund-raising drive that includes a drawing on behalf of such organization. Such notice shall state that the exempt organization shall make such license available for public inspection during reasonable business hours and shall specify where such license shall be maintained for inspection.

(2) Notwithstanding subsection (1) of this section, a bingo-raffle licensee conducting a pull tab game for the benefit of its members and guests on premises that are owned by it, or leased by it for purposes other than the conduct of a bingo occasion, may display a copy of its license, in a format approved by the licensing authority, on such premises during any time the licensee is also conducting a bingo or raffle occasion at a separate location.

12-9-106.5. Form of landlord license - display - fee. (1)

Each landlord license shall contain a statement of the name and address of the licensee and the location of the premises. Each license issued shall be conspicuously displayed at the premises for which the license has been issued.

(2) A landlord license shall be issued to qualified applicants by the licensing authority upon payment of a fee and completion and approval of the landlord license application pursuant to section 12-9-105.3. Such license shall expire at the end of the calendar year in which it was issued by the licensing authority and may be renewed upon the filing and approval of an application for renewal provided by the licensing authority and the payment of a fee. No landlord license is transferable. The fees required to be paid for new and renewed licenses shall be established in accordance with section 12-9-103.5 (3).

12-9-107. Persons permitted to conduct games of chance - premises - equipment - expenses. (1) (a)

No games of chance shall be conducted by any person, firm, or organization within this state, unless a bingo-raffle license as provided in this article has been issued by the licensing authority. No person shall hold, operate, or conduct any games of chance under any license issued under this article except an active member of the organization to which the bingo-raffle license is issued, and no person shall assist in the holding, operating, or conducting of any games of chance under such license, except such an active member or a member of an organization or association that is an auxiliary to the licensee, a member of an organization or association of which such licensee is an auxiliary, or a member of an organization or association that is affiliated with the licensee by being, with it, auxiliary to another organization or association and except bookkeepers or accountants as provided in this section. No item of expense shall be incurred or paid in connection with the holding, operating, or conducting of any game of chance held, operated, or conducted pursuant to any license issued under this article, except bona fide expenses in reasonable amount for goods, wares, and merchandise furnished or services rendered, reasonably necessary for the holding, operating, or conducting thereof.

(b) No games of chance shall be conducted with any equipment unless it is owned by a bingo-raffle licensee, owned or leased by a landlord licensee, or owned or leased by a bingo-raffle licensee operating such equipment on premises that are owned, leased, or rented by the bingo-raffle licensee, used as its principal place of business, and controlled so that admittance to the premises is limited to the bingo-raffle licensee's members and bona fide guests.

(2) (a) The officers of a bingo-raffle licensee shall designate

a bona fide, active member of the licensee to be in charge and primarily responsible for the conduct of the games of bingo or lotto on each occasion. The member in charge shall supervise all activities on the occasion for which he or she is in charge and is responsible for the making of the required report thereof. The member in charge shall be familiar with the provisions of the state laws, the rules of the licensing authority, and the provisions of the license. The member in charge shall be present on the premises continuously during the games and for a period of at least thirty minutes after the last game.

(b) An exempt organization may designate more than one of its bona fide, active members in order to comply with the requirements of this subsection (2).

(3) The officers of a bingo-raffle licensee shall designate an officer to be in full charge and primarily responsible for the proper utilization of the entire net proceeds of any game in accordance with the state law.

(4) The entire net proceeds of any game shall be devoted to a lawful use or uses.

(5) (a) Each license issued for the conduct of games of chance shall be conspicuously displayed at the place where any game is being conducted at all times during the conduct of the game and for at least thirty minutes after the last game has been concluded.

(b) An exempt organization may comply with the requirements of this subsection (5) by providing written notice of such a license to all employees of a participating private business or government agency holding a fund-raising drive that includes a drawing on behalf of such organization. Such notice shall state that the exempt organization shall make such license available for public inspection during reasonable business hours and shall specify where such license shall be maintained.

(6) The premises where any game of chance is being held, operated, or conducted, where it is intended that any game of chance be held, operated, or conducted, or where it is intended that any equipment be used, at all times, shall be open to inspection by the licensing authority, its agents and employees, and by peace officers of any political subdivision of the state.

(7) No licensee may hold, operate, or conduct a game of bingo or lotto more often than on one hundred fifty-eight occasions in any calendar year.

(8) When any merchandise prize is awarded in a game of bingo, its value shall be its current retail price. No merchandise prize shall be redeemable or convertible into cash directly or indirectly.

(9) (a) Equipment, prizes, and supplies for games of bingo shall not be purchased or sold at prices in excess of the usual price thereof. A licensee shall not sell or offer for sale any game of chance or supplies for a game of chance that is not authorized by this article or by rules adopted by the licensing authority pursuant to this article.

(b) Cards and sheets that are designed or intended for use with electronic devices used as aids in the game of bingo shall not be purchased or sold at prices in excess of the usual price of cards and sheets that are not so designed or intended. Charges imposed by any manufacturer, supplier, agent thereof, or bingo-raffle licensee for cards and sheets that are designed or intended for use with electronic devices used as aids in the game of bingo shall be stated and imposed separately from any charges imposed by such manufacturer, supplier, agent thereof, or bingo-raffle licensee for the purchase, lease, or use of electronic devices used as aids in the game of bingo.

Manufacturers, suppliers, and agents thereof shall not include costs attributable to the manufacture or distribution of electronic devices used as aids in the game of bingo in charges imposed for the purchase or lease of equipment, including cards and sheets.

(10) No alcoholic beverage shall be offered or given as a prize in any such game.

(11) The net proceeds derived from the holding of games of chance must be devoted, within one year, to the lawful purposes of the organization permitted to conduct the same. Any organization desiring to hold the net proceeds of games of chance for a period longer than one year shall apply to the licensing authority for special permission and, upon good cause shown, the licensing authority may grant the request.

(12) Any licensee that does not report, during any one-year period, net proceeds will be required to show cause before the licensing authority why its right to conduct games of chance should not be revoked.

(13) (a) No prize greater, in amount or value, than two hundred fifty dollars shall be offered or given in any single game of bingo or lotto conducted under any such license; except that, not more than once during a bingo occasion, a single prize in an amount or value greater than two hundred fifty dollars but not exceeding five hundred dollars may be awarded in a single game of bingo or lotto. The aggregate amount of all prizes offered or given in all games played on a single occasion shall not exceed one thousand five hundred dollars.

(b) Notwithstanding the limitations stated in paragraph (a) of this subsection (13), during a bingo occasion a bingo-affle licensee may also start a single game of progressive bingo, in an amount not to exceed one hundred dollars, in which the game is won when a previously designated arrangement of numbers or spaces on the card or sheet is covered within a previously designated number of objects or balls drawn. If the game is not won within the drawing of the previously designated number of objects or balls, the game shall be replayed during subsequent occasions using the previously designated arrangement of numbers or spaces, with or without a change in the number of objects or balls drawn, until the game is won. In each occasion after the first occasion, the amount of the prize shall be increased by seventy percent of the gross proceeds collected from the sale of progressive bingo cards or sheets at such occasion.

(c) No more than one game of progressive bingo may be conducted during an occasion. In order to ensure that all prizes offered are timely awarded, the licensing authority may limit by rule the number of occasions in which a progressive bingo game may be conducted before a prize must be awarded; except that such number of occasions shall be not less than thirty.

(d) A bingo-affle licensee may offer a progressive pull-tab game in which a prize may be carried over and increased from one deal to another until a prize is awarded. Such game may include a subsequent pull-tab deal bearing a different serial number from that offered in a previous deal. No prize greater, in amount or value, than five thousand dollars shall be offered or given in any progressive pull tab game.

(e) When a deal of progressive pull tabs is received in two or more packages, boxes, or other containers, all of the progressive pull tabs from the respective packages, boxes, or other containers shall be placed out for play at the same time.

(f) A bingo-affle licensee may offer a prize to the purchaser of a last sale ticket in a pull tab game, deal, or series without regard to its

winning or non-winning status as revealed if broken or torn apart.

(g) The licensing authority shall establish, by rule, safeguards to protect the bingo-affle licensee's players against defaults in charitable gaming debts owed or to become payable by the bingo-affle licensee.

(14) The equipment used in the playing of bingo and the method of play shall be such that each card has an equal opportunity to be a winner. The objects or balls to be drawn shall be essentially the same as to size, shape, weight, balance, and all other characteristics that may influence their selection. All objects or balls shall be present in the receptacle before each game is begun. All numbers announced shall be plainly and clearly audible to all the players present. Where more than one room is used for any one game, the receptacle and the caller must be present in the room where the greatest number of players are present, and all numbers announced shall be plainly audible to the players in the aforesaid room and also audible to the players in the other rooms.

(15) The receptacle and the caller must be visible to all the players at all times except where more than one room is used for any one game, in which case the provisions of subsection (14) of this section shall prevail.

(16) The particular arrangement of numbers required to be covered in order to win the game and the amount of the prize shall be clearly and audibly described and announced to the players immediately before each game is begun.

(17) Any player is entitled to call for a verification of all numbers drawn at the time a winner is determined and for a verification of the objects or balls remaining in the receptacle and not yet drawn. The verification shall be made in the immediate presence of the member designated to be in charge of the occasion, but if such member is also the caller, then in the immediate presence of any officer of the licensee.

(18) In the playing of bingo, no person who is not physically present on the premises where the game is actually conducted shall be allowed to participate as a player in the game.

(19) (a) No person shall act as a caller or assistant to the caller in the conduct of any game of bingo unless such person has been a member in good standing of the bingo-affle licensee conducting such game or one of its licensed auxiliaries for at least three months immediately prior to the date of such game, is of good moral character, and never has been convicted of a felony.

(b) No person shall act as games manager in the conduct of any game of chance if such person has been convicted of a felony or a crime involving gambling.

(20) No owner, co-owner, or lessee of premises or, if a corporation is the owner of the premises, any officer, director, or stockholder owning more than ten percent of the outstanding stock shall be a person responsible for or assisting in the holding, operating, or conducting of any game of bingo.

(21) The licensing authority shall not require an exempt organization to use raffle tickets in any particular form or displaying any particular information that would cause undue expense to the exempt organization and therefore interfere with the charitable fund-raising drive of such organization.

(21.5) Effective September 1, 1999:

(a) No licensee shall possess, use, sell, offer for sale, or put into play any computerized or electromechanical facsimile of a pull tab game.

(b) No licensee shall possess, use, sell, offer for sale, or put into play any device that reveals the winning or nonwinning status

of a pull tab ticket unless such device has been tested, approved, and licensed pursuant to section 12-9-107.7 and not subsequently altered or tampered with.

(c) Any of the following persons that are found to have violated paragraph (b) of this subsection (21.5) shall be subject to immediate and permanent revocation of all licenses issued under this article:

- (I) The manufacturer of the device;
- (II) The supplier through which the device was supplied;
- (III) The landlord licensee on whose premises the device was found; and
- (IV) The bingo-raffle licensee of the occasion during which the device was present.

(22) No licensee shall possess, use, sell, offer for sale, or put into play any bingo or pull tab game, ticket, card, or sheet unless it conforms to the definitions and requirements of this article, and was purchased by the licensee from a licensed bingo-raffle manufacturer or supplier or licensed agent thereof. No licensee shall possess, use, sell, offer for sale, or put into play any electronic device used as an aid in the game of bingo unless it conforms to the requirements of this article and was purchased or leased by the licensee from a licensed bingo-raffle manufacturer or supplier or licensed agent thereof.

(23) No licensee shall possess, use, sell, offer for sale, or put into play any bingo or pull tab game, ticket, card, or sheet for which it does not have, at the location of the game, an invoice from its licensed supplier showing at least the name, description, color code (if any), and serial number of the pull tab, card, or sheet.

(24) No licensee shall sell, offer for sale, or put into play any pull tab ticket except at the location of and during its licensed bingo occasions or upon premises that are:

(a) Owned, leased, or rented by the bingo-raffle licensee, used as its principal place of business, and controlled so that admittance to the premises is limited to the bingo-raffle licensee's members and bona fide guests; or

(b) Owned, leased, or rented by a landlord licensee.

(25) No person or licensee shall permit any person who has not attained the age of eighteen years to purchase the opportunity to participate in any game of chance or purchase pull tab games.

(26) No person or licensee shall permit any person who has not attained the age of fourteen years to assist in the conduct of bingo or pull tabs.

(27) No operator shall reserve or allow to be reserved any bingo cards for use by players except braille cards or other cards for use by legally blind players. Legally blind players may use their personal braille cards when a licensed organization does not provide such cards. A licensed organization has the right to inspect and to reject any personal braille card. A legally blind or disabled person may use a braille card or hard card in place of a purchased disposable paper bingo card.

(28) (a) If a card or sheet is played with the aid of an electronic device, a winning bingo shall be determined and verified by reference to such card or sheet, not the electronic device. Nothing in this article shall be construed to authorize the playing of bingo solely by means of an electronic device.

(b) A bingo-raffle licensee shall adequately mark, destroy, or dispose of cards or sheets played with the aid of an electronic device in order to prevent the reuse of such cards or sheets.

(c) A bingo player who plays using the aid of an electronic device shall be permitted to use up to thirty-six bingo cards with the

aid of such a device per game, and a bingo player shall not use more than thirty-six bingo cards with the aid of an electronic device per bingo game.

(d) A bingo-raffle licensee shall not be required to use or offer the use of electronic devices used as aids in the game of bingo during a bingo session.

(29) (a) With the application for a letter ruling pursuant to section 12-9-103 (1) (d) for the approval of a new type of electronic device used in the aid of bingo, the manufacturer of such device shall provide the following to the licensing authority:

(I) A prototype of the new type of electronic device used in the aid of bingo with a prototype bingo aid computer system and a user's manual used for such electronic device; and

(II) A certification by the manufacturer that the new type of electronic device used in the aid of bingo and all such electronic devices used in the state meet the following standards:

(A) The electronic device provides a means for the input of numbers announced by a bingo caller;

(B) The electronic device compares the numbers entered to the numbers contained on bingo cards previously stored in the electronic data base of such electronic device;

(C) The electronic device identifies winning bingo patterns; and

(D) The electronic device signals when a winning bingo pattern is achieved.

(b) The licensing authority shall return the prototype electronic device used in the aid of bingo, the prototype bingo aid computer system, and the user's manual submitted pursuant to subparagraph (I) of paragraph (a) of this subsection (29) no later than forty-five days after receiving such items.

(c) When a complaint regarding an electronic device used in the aid of bingo that is in use in the state of Colorado has been filed with the licensing authority, the manufacturer of such device shall provide to the licensing authority a sample of such device and bingo aid computer system to assist the investigation by the licensing authority. The licensing authority shall return such electronic device and bingo aid computer system no later than forty-five days after receiving such items, unless the licensing authority needs such electronic device longer to complete the investigation.

(d) Any electronic device used in the aid of bingo, any bingo aid computer system, and any user's manual for such a device that is in the custody of the licensing authority pursuant to this section shall not be construed to be public records.

(30) A bingo aid computer system used by a bingo-raffle licensee for bingo sessions shall meet the following standards:

(a) Such system shall contain a record of all transactions occurring during a bingo-raffle session. Such record shall be retained in memory until the transactions have been totaled, printed, and cleared by the bingo-raffle licensee, regardless of whether the power supply has been interrupted.

(b) Such system shall be able to compute and total all transactions processed by the system during a bingo-raffle session and to print all information required by the secretary of state, in the form prescribed by the secretary of state.

(c) Such system shall maintain and control the transaction number, time, and date of sale. Such information shall be secure enough that only a manufacturer's qualified personnel can change or reset such information. A detailed record, supported by service documents, shall be retained by such personnel for each service call that involves a change of the time, date of sale, or transaction number.

(31) If an electronic device used as an aid in the game of bingo complies with sub-subparagraphs (A) to (D) of subparagraph (II) of paragraph (a) of subsection (29) of this section, and if the bingo aid computer system for such electronic device substantially complies with the requirements of subsection (30) of this section, the licensing authority shall approve such electronic device and computer system for use by a letter ruling pursuant to section 12-9-103 (1) (d).

12-9-107.5. Persons permitted to manufacture and distribute games of chance equipment - reporting requirements.

(1) No person other than a manufacturer licensee or licensed agent shall act as a bingo-raffle manufacturer within Colorado. The manufacture of electronic devices used as aids in the game of bingo, and the printing of raffle tickets other than pull tabs, as designed and requested by a licensee, does not constitute the manufacture of games of chance equipment; except that such electronic devices shall be subject to the reporting requirements of subsections (5) and (6) of this section, and the fees established by the licensing authority in accordance with section 12-9-103.5 (3) and subsection (5) of this section.

(2) (Deleted by amendment, L. 99, p. 1425, § 1, effective June 5, 1999.)

(3) No individual shall act for or represent a landlord, manufacturer, or supplier licensee with respect to an activity covered by such license unless such individual is the licensee's owner, officer, director, partner, member, or ten percent or more shareholder of record with the licensing authority, or is the manufacturer's or supplier's licensed agent. No manufacturer or supplier licensee shall allow any person not authorized by this subsection (3) to represent it or serve as its agent with regard to any Colorado transaction.

(4) Except to the extent otherwise provided in section 12-9-107 (1), no manufacturer or supplier licensee or licensed agent shall buy, receive, sell, lease, furnish, or distribute any pull tabs, bingo cards or sheets, electronic devices used as aids in the game of bingo, or other games of chance equipment from or to any person within Colorado other than manufacturer or supplier licensees or agents and bingo-raffle licensees; except that:

(a) A landlord licensee, supplier, or manufacturer or its agent may sell or distribute cards, sheets, equipment, or electronic devices used as aids in the game of bingo for the playing of bingo not for resale to nursing homes and other entities that distribute the cards, sheets, or electronic devices and allow playing of the game free of charge, without consideration given or received by any person for the privilege of playing; and

(b) A bingo-raffle licensee may sell its used equipment to another bingo-raffle licensee.

(5) Every manufacturer and supplier licensee shall file, upon forms prescribed by the licensing authority, quarterly reports on its licensed activities within Colorado. Such reports shall be accompanied by quarterly fees established by the licensing authority in accordance with section 12-9-103.5 (3) and deposited in the bingo-raffle cash fund. Such reports shall be filed with the licensing authority no later than April 30, July 31, October 31, and January 31 of each year licensed, and each report shall cover the preceding calendar quarter. Reports shall enumerate by quantity, purchaser or lessee, and price the pull tabs, bingo cards or sheets, electronic devices used as aids in the game of bingo, and other games of chance equipment manufactured, conveyed, or distributed within Colorado or for use or distribution in Colorado and shall include the

licensee's total sales, including amounts realized from leases, of equipment as defined in section 12-9-102 (5) and electronic devices used as aids in the game of bingo and the names and addresses of all Colorado suppliers or agents of the licensee and shall be signed and verified by the owner or the chief executive officer of the licensee. These quarterly reports shall not be public records as defined in section 24-72-202, C.R.S.

(6) Every manufacturer or supplier licensee, and every licensed agent for such licensee, shall keep and maintain complete and accurate records, in accord with generally accepted accounting principles, of all licensed activities. The records shall include invoices for all games of chance equipment or electronic devices used as aids in the game of bingo conveyed or distributed within Colorado, or for use or distribution in Colorado, which invoices are specific as to the nature, description, quantity, and serial numbers of the pull tabs, bingo cards or sheets, electronic devices used as aids in the game of bingo, and other equipment so conveyed or distributed. The records shall also show all receipts and expenditures made in connection with licensed activities, including, but not limited to, records of sales by dates, purchasers, and items sold or leased, monthly bank account reconciliations, disbursement records, and credit memos for any returned items. These records shall be maintained for a period of at least three years.

(7) No manufacturer or supplier licensee or licensed agent shall be a person responsible for or assisting in the conduct, management, or operation of any game of chance within Colorado.

12-9-107.7. Pull tab reading devices - approval required - tracking of transactions.

(1) Every mechanical, electronic, or electromechanical device that reveals the winning or nonwinning status of a pull tab ticket shall be tested, inspected, and licensed by the licensing authority before being used in charitable gaming. The licensing authority shall employ an independent contractor to conduct such tests and inspections, the cost of which shall be borne by the manufacturer or supplier seeking approval of the device. No license shall be issued for a device until the device is secured in a manner prescribed by the licensing authority and the contractor receives payment in full for the cost of such tests and inspections.

(2) Every person shipping or importing into Colorado a device subject to subsection (1) of this section shall provide the licensing authority with a copy of the shipping invoice at the time of shipment. Such invoice shall contain, at a minimum, the destination of the shipment and the serial number and description of each device being transported.

(3) Every person receiving a device subject to subsection (1) of this section shall, upon receipt of the device, provide the licensing authority with the serial number and description of each device received and information describing the location of each such device. The requirements of this subsection (3) shall apply regardless of whether the device is received from a licensed supplier or from any other source.

(4) A device licensed pursuant to this section shall be licensed for and may only be used in one specific licensed location identified by the licensing authority. Any movement of the device from such licensed location for use at another licensed location shall be reported to the licensing authority in advance.

(5) The licensing authority may adopt rules and prescribe all necessary forms in furtherance of this section.

(6) Notwithstanding any other provision of this article, the licensing authority shall not license:

(a) A pull tab game that is stored, electronically or otherwise, within a device and designed to be played on such device; or

(b) Any device that qualifies as a slot machine pursuant to section 9(4)(c) of article XVIII of the Colorado constitution.

(7) The prohibition contained in subsection (6) of this section shall not be construed to prohibit the licensing of:

(a) A device that merely dispenses pull tab tickets to players; or

(b) A device that merely reads or validates a pull tab ticket inserted by a player, if:

(I) The pull tab ticket itself displays its winning or non-winning status so that use of the device is not required to determine such status; and

(II) The device cannot be used in a manner that would qualify it as a slot machine pursuant to section 9(4)(c) of article XVIII of the Colorado constitution.

(8) Repealed.

12-9-108. Bingo-affle licensee's statement of receipts - expenses - fee. (1) (a) On or before April 30, July 31, October 31, and January 31 of each year, every bingo-affle licensee shall file with the licensing authority upon forms prescribed by the licensing authority a duly verified statement covering the preceding calendar quarter showing the amount of the gross receipts derived during said periods from games of chance, the expenses incurred or paid, and a brief description of the classification of such expenses, the net proceeds derived from games of chance, and the uses to which such net proceeds have been or are to be applied. It is the duty of each licensee to maintain and keep such books and records as may be necessary to substantiate the particulars of each such report.

(b) Exempt organizations shall not be subject to the requirements of this subsection (1), except to the extent that they shall file with the licensing authority statements showing the amount of the gross proceeds from their fund-raising drives and identifying all organizations receiving portions of such proceeds and the amounts received by each such organization.

(2) (a) If a bingo-affle licensee fails to file reports within the time required or if reports are not properly verified or not fully, accurately, and truthfully completed, any existing license may be suspended until such time as the default has been corrected.

(b) Exempt organizations shall be subject to the requirements of this subsection (2) only to the extent that such requirements apply to paragraph (b) of subsection (1) of this section.

(3) (a) All moneys collected or received from the sale of admission, extra regular cards, special game cards, sale of supplies, and all other receipts from the games of bingo, raffles, and pull tab games shall be deposited in a special checking or savings account, or both, of the licensee, which shall contain only such money. All funds shall be withdrawn from said account by consecutively numbered checks or withdrawal slips, duly signed by specified officers of the licensee and payable to a specific person or organization. There shall also be written on the check or withdrawal slip the nature of the item for which the check is drawn or withdrawal slip made. No check or withdrawal slip shall be drawn to "cash" or a fictitious payee.

(b) Exempt organizations shall not be subject to the requirements of this subsection (3).

(4) No part of the net proceeds, after they have been given over to another organization, shall be used by the donee organization to pay any person for services rendered or materials purchased in connection with the conducting of bingo by the donor organization.

(5) No item of expense shall be incurred or paid in connection with holding, operating, or conducting any game of chance pursuant to any bingo-affle license except bona fide expenses of a reasonable amount. Such expenses include those incurred in connection with all games of chance, for the following purposes: The purchase of goods, wares, and merchandise furnished; the purchase or lease of electronic devices used as aids in the game of bingo; payment for services rendered that are reasonably necessary for repairs of equipment and operating or conducting games of chance; rent if the premises are rented or for janitorial services if not rented; accountant's fees; and license fees.

(6) (a) For the purposes enumerated in subsection (5) of this section, the following terms shall have the following meanings:

(I) "Goods, wares, and merchandise" means prizes, equipment as defined in section 12-9-102 (5), electronic devices used as aids in the game of bingo, and articles of a minor nature.

(II) "Services rendered" means:

(A) The repair of equipment and electronic devices used as aids in the game of bingo;

(B) Compensation to bookkeepers or accountants, not more than two in the aggregate, for services in preparing financial reports for a reasonable amount as determined by the licensing authority in rules for each occasion;

(C) The rental of premises;

(D) A reasonable amount for janitorial service as determined by the licensing authority in rules for each occasion; and

(E) A reasonable amount for security expense based on established need as determined by the licensing authority in rules for each occasion.

(b) There shall be paid to the licensing authority an administrative fee, established in accordance with section 12-9-103.5 (3), upon the gross receipts of any game of chance held, operated, or conducted under the provisions of this article; except that an exempt organization shall not be charged more than twenty dollars per year. All administrative fees collected by the licensing authority under this article shall be deposited in the department of state cash fund created in section 24-21-104, C.R.S.

(7) Each licensee, at the time each financial report is submitted to the licensing authority, shall pay to the order of the licensing authority the amount of administration expense provided in subsection (6) of this section.

12-9-109. Examination of books and records. The licensing authority and its agents have power to examine or cause to be examined the books and records of any licensee to which any license is issued pursuant to this article insofar as they may relate to any transactions connected with activities under the license.

12-9-110. Forfeiture of license - ineligibility to apply for license. Any person who makes any false statement in any application for any such license or in any statement annexed thereto, fails to keep sufficient books and records to substantiate the quarterly reports required under section 12-9-108, falsifies any books or records insofar as they relate to any transaction connected with the holding, operating, and conducting of any game of chance under any such license, or violates any of the provisions of this article or of any term of such license, if convicted, in addition to suffering any other penalties that may be imposed, shall forfeit any license issued to it under this article and shall be ineligible to apply for a license under this article for at least one year thereafter.

12-9-111. Volunteer services - legislative declaration - immunity. (1) The Colorado constitution recognizes that the conduct of charitable gaming activities is directly related to the need of nonprofit organizations to fulfill their lawful purposes. Notwithstanding this recognition, however, the willingness of bingo-raffle volunteers to offer their services has been increasingly deterred by a perception that they put personal assets at risk should a tort action be filed seeking damages arising from their volunteer activities.

(2) All bingo-raffle volunteers shall be immune from civil actions and liabilities pursuant to section 13-21-115.5, C.R.S., which provides that volunteers shall not be personally liable for their acts or omissions if they are acting in good faith and within the scope of their official function and duty for a charitable organization, with respect to such organization's conduct of games of chance. Bingo-raffle volunteers shall not be liable under this section if the harm is not caused by willful and wanton misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed.

12-9-112. Unfair trade practices. (1) The provisions of the "Unfair Practices Act", article 2 of title 6, C.R.S., and the "Colorado Antitrust Act of 1992", article 4 of title 6, C.R.S., are specifically applicable to charitable gaming activities conducted by any licensee. Within thirty days after receiving a complaint alleging a violation of either of said acts, the licensing authority shall transmit such complaint to the attorney general.

(2) A licensee that violates any provision of article 2 of title 6, C.R.S., or article 4 of title 6, C.R.S., shall have its license revoked by the licensing authority for a period of one year from the date of the finding of such violation. Upon the expiration of such period, the licensee may apply for the issuance of a new license.

12-9-112.5. Common members - bingo-raffle licensees.

(1) For the purposes of this section, "bingo-raffle licensee affiliate" means the following:

(a) Any person that directly or indirectly through one or more intermediaries controls, is controlled by, or is under common control with, a bingo-raffle licensee specified; or

(b) Any person that has an officer, director, member, manager, partner, games manager, salaried employee, or member of their immediate families in common with a bingo-raffle licensee.

(2) Proceeds from a bingo or raffle game that are transferred from a bingo-raffle licensee to a bingo-raffle licensee's affiliate shall not be used to pay the salary, remuneration, or expenses of any officer, director, member, manager, partner, games manager, or employee of such affiliate. All such transferred proceeds shall be deposited by the donee entity or organization in a segregated account that contains only such donations, and such transferred proceeds shall not be commingled with other funds of the donee entity or organization. The licensing authority and its agents may examine or cause to be examined the books and records of any donee entity or organization insofar as they may relate to account or to any transactions connected with bingo or raffle proceeds.

12-9-113. Enforcement. It is the duty of all sheriffs and police officers to enforce the provisions of this article, to receive complaints, to initiate investigations, and to arrest and complain against any person violating any provisions of this article. It is the duty of the district attorney of the respective districts of this state to prosecute all violations of this article in the manner and form as is now provided by law for the prosecutions of crimes and misde-

meanors, and it is a violation of this article for any such person knowingly to fail to perform his duty under this section.

12-9-114. Penalties for violation. Every licensee and every officer, agent, or employee of the licensee and every other person or corporation who willfully violates or who procures, aids, or abets in the willful violation of this article commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.; except that, if the underlying factual basis of the violation constitutes a crime as defined by any other provision of law, then such person may be charged, prosecuted, and punished in accordance with such other provision of law.

PART 2
COLORADO BINGO-RAFFLE
ADVISORY BOARD

12-9-201. Colorado bingo-raffle advisory board - creation.

(1) There is hereby created, within the department of state, the Colorado bingo-raffle advisory board.

(2) The board shall consist of nine members, all of whom shall be citizens of the United States who have been residents of the state for at least the past five years. No member shall have been convicted of a felony or gambling-related offense, notwithstanding the provisions of section 24-5-101, C.R.S. No more than five of the nine members shall be members of the same political party. At the first meeting of each fiscal year, a chair and vice-chair of the board shall be chosen from the membership by a majority of the members. Membership and operation of the board shall additionally meet the following requirements:

(a) (I) Three members of the board shall be bona fide members of a bingo-raffle licensee that is classified as a religious organization, a charitable organization, a labor organization, an educational organization, or a voluntary firefighter's organization; except that no more than one member shall be appointed from any one such classification;

(II) One member of the board shall be a bona fide member of a bingo-raffle licensee that is a veterans' organization;

(III) One member of the board shall be a bona fide member of a bingo-raffle licensee that is a fraternal organization;

(IV) One member of the board shall be a supplier licensee;

(V) Two members of the board shall be landlord licensees; and

(VI) One member of the board shall be a registered elector of the state who is not employed by or an officer or director of a licensee, does not have a financial interest in any license, and does not have an active part in the conduct or management of games of chance by any bingo-raffle licensee.

(b) (I) Of the five members of the board who are categorized as bona fide members of a bingo-raffle licensee, two shall be appointed by the president of the senate, two shall be appointed by the speaker of the house of representatives, and one shall be appointed jointly by the president and the speaker.

(II) Of the two members of the board who are categorized as landlord licensees, one shall be appointed by the president of the senate and one shall be appointed by the speaker of the house of representatives.

(III) The president of the senate shall appoint the member of the board who is a supplier licensee. The speaker of the house shall appoint the member of the board who is a registered elector.

(c) Initial members shall be appointed to the board as follows: Two members to serve until July 1, 2000, two members to serve until July 1, 2001, two members to serve until July 1, 2002, and

three members to serve until July 1, 2003. All subsequent appointments shall be for terms of four years. No member of the board shall be eligible to serve more than two consecutive terms.

(d) Any vacancy on the board shall be filled for the unexpired term in the same manner as the original appointment. The member appointed to fill such vacancy shall be from the same category described in paragraph (a) of this subsection (2) as the member vacating the position.

(e) Any member of the board having a direct personal or private interest in any matter before the board shall disclose such fact on the board's record. A member may disqualify himself or herself for any cause deemed by him or her to be sufficient.

(f) The term of any member of the board who misses more than two consecutive regular board meetings without good cause, or who no longer meets the requirements for membership imposed by this section, shall be terminated by the appointing officer. Such member's successor shall be appointed in the manner provided for appointments under this section.

(g) Board members shall receive as compensation for their services fifty dollars for each day spent in the conduct of board business, not to exceed five hundred dollars per member per year, and shall be reimbursed for necessary travel and other reasonable expenses incurred in the performance of their official duties.

(h) Prior to commencing his or her term of service, each person nominated to serve on the board shall file with the secretary of state a financial disclosure statement in the form required and prescribed by the secretary of state and as commonly used for other Colorado boards and commissions. Such statement shall be renewed as of each January 1 during the member's term of office.

(i) The board shall hold at least six meetings each year and such additional meetings as the members may deem necessary. In addition, special meetings may be called by the chair, any three board members, or the secretary of state if written notification of such meeting is delivered to each member at least seventy-two hours prior to such meeting. Notwithstanding the provisions of section 24-6-402, C.R.S., in emergency situations in which a majority of the board certifies that exigencies of time require that the board meet without delay, the requirements of public notice and of seventy-two hours' actual advance written notice to members may be dispensed with, and board members as well as the public shall receive such notice as is reasonable under the circumstances.

(j) A majority of the board shall constitute a quorum, and the concurrence of a majority of the members present shall be required for any final determination by the board.

(k) The board shall keep a complete and accurate record of all its meetings.

12-9-202. Board - duties. (1) In addition to any other duties set forth in this part 2, the board shall have the following duties:

(a) To conduct a continuous study of charitable gaming throughout the state for the purpose of ascertaining any defects in this article or in the rules promulgated pursuant to this article;

(b) To formulate and recommend changes to this article to the general assembly;

(c) Repealed.

(2) The board shall offer advice to the licensing authority upon subjects which shall include, but are not limited to, the following:

(a) The types of charitable gaming activities to be conducted and the rules for those activities;

(b) The requirements, qualifications, and grounds for the issuance of all types of permanent and temporary licenses required for the conduct of charitable gaming;

(c) The requirements, qualifications, and grounds for the revocation, suspension, and summary suspension of all licenses required for the conduct of charitable gaming;

(d) Activities that constitute fraud, cheating, or illegal activities;

(e) The granting of licenses with special conditions or for limited periods, or both;

(f) The establishment of a schedule of reasonable fines to be assessed in lieu of license revocation or suspension for violations of this article or any rule adopted pursuant to this article;

(g) The amount of fees for licenses issued by the licensing authority and for the performance of administrative services pursuant to this article;

(h) The establishment of criteria under which a person may serve as a games manager;

(i) The content and conduct of classes or training seminars to benefit bingo-raffle charitable licensees, officers, and volunteers to better account for funds collected from games of chance;

(j) Standardized rules, procedures, and policies to clarify and simplify the auditing of licensees' records;

(k) The types of charitable gaming activities to be conducted in the future, based upon a continuing review of the available state of the art of equipment in Colorado and elsewhere, and the policies and procedures approved and implemented by other states for the conduct of their charitable gaming activities; and

(l) The conditions for a licensee's plan for disposal of any equipment and the distribution of any remaining net proceeds upon termination of a bingo-raffle license for the licensee's failure to timely or sufficiently renew such license.

PART 3 REPEAL OF ARTICLE

12-9-301. Repeal - review of functions. This article is repealed, effective July 1, 2008. Prior to such repeal, the licensing functions of the secretary of state and the functions of the Colorado bingo-raffle advisory board in the department of state shall be reviewed as provided for in section 24-34-104, C.R.S.

RULES COVERING AND REGULATING BINGO/RAFFLES

RULE 1 DEFINITION OF BINGO AND RAFFLE TERMS

Bingo Game:

A bingo game starts when the first numbered object or ball is selected at random and called, and continues until all the objects or balls have been returned to the receptacle. Except for concealed face and progressive jackpot games, a game may have two or more parts with different winning patterns for each part, if the total amount of prizes offered or given for all parts of one game does not exceed, in amount or value, the statutorily set maximum prize that may be offered or given in a single game of bingo.

Bingo Occasion Rules:

The rules established by each bingo-raffle licensee for items not covered by the bingo-raffle law or state rules relating to the payment for, and playing of, games of chance at each occasion.

Card:

(1) A disposable, non-reusable, paper bingo card identified by color, serial number, and card number containing five rows of five squares with a free center space, no more than two numbers preprinted in each of the remaining 24 spaces, and the letters B, I, N, G, O printed in order over the five columns.

or

(2) A reusable, nondisposable bingo card intended for repeated use, such as a hard card or shutter card.

Cash Operating Fund:

The cash used by the licensee to start the bingo and pull tab operations on each occasion.

Change Fund:

The cash given to each bingo worker to use for making change.

Concealed Face Card:

A non-reusable bingo card containing five rows of five squares with a free center space, one number preprinted in each of the remaining 24 spaces, and the letters B, I, N, G, O printed in order over the five columns, the card so constructed that no part of its face is detectable or discernible until the card is purchased and opened by the player.

Deal:

Each separate package or series of packages consisting of pull tabs with the same game name, form number, serial number, and color code.

Flare:

A piece of heavy paper stock or other material accompanying a pull tab deal which shows at least the following descriptive information about the matching deal:

- (1) The name and form number of the game;
- (2) The manufacturer name or logo;
- (3) The number of tickets in the deal and the cost per play; and,

(4) The prize structure, including the number of winning tickets by denomination and their respective winning symbol combinations.

Pack:

A collation of disposable paper bingo cards or sheets sold during a bingo occasion.

Progressive Jackpot (“Progressive”) Bingo Game:

A progressive jackpot bingo game is one in which a prize amount is carried over to a subsequent game if no bingo is achieved within a specified number of balls drawn and called.

Progressive Pull Tab:

A game consisting of one or more seal pull tab deals with identical form numbers that offers a cumulative or carryover jackpot prize. The prize structure for a progressive pull tab game is predetermined by the game’s manufacturer and built into the game. The structure includes a cumulative jackpot prize, to which each deal of the game in which the jackpot prize is not won contributes a specifically predesignated amount.

Seal Pull Tab:

A pull tab game that offers one or more prizes by means of a flare or a jackpot card that is part of a pull tab deal. The flare or jackpot card includes a section bearing a tab or tabs that must be torn or broken apart to reveal a winning combination or combinations. Each seal pull tab deal shall include:

- (1) A ticket or tickets that entitle the purchaser to a chance to win the prize(s) identified by the winning combination(s) imprinted on the flare or jackpot card; and
- (2) A flare preprinted, or otherwise prepared by the game’s manufacturer, to show:
 - (A) the serial number of the pull tab deal;
 - (B) a section that shall record the names of all holders of tickets that entitle the bearer to a chance on the seal prizes, together with the potential winning combination of each such ticket; and
 - (C) all other information required by this rule 1 to be shown on pull tab flares.

The jackpot card, if separate from the flare, shall be preprinted with the name and form number of the game and the manufacturer’s name.

Sheet:

A leaf of paper upon which are printed one or more disposable paper bingo cards.

**RULE 2
FRAUD OR DECEPTION – PROHIBITED**

(Repealed)

**RULE 3
LICENSEE’S RESPONSIBILITY TO POST CERTAIN MATERIAL**

(1) Each bingo-raffle licensee shall obtain, maintain and keep a current copy of the constitutional provisions and Colorado bingo-raffles law and rules regarding licensed games of chance, which shall be located upon the premises used for the conduct of a licensed activity by a bingo-raffle licensee at all times the activity is conducted there. The law and rules shall be produced by the bingo-raffle licensee and shown to any person on demand. The license shall be posted for all players to see and shall remain posted until after the conclusion of the occasion. Before the start of the first bingo game the players in attendance will

also be informed by posting or announcement that they may obtain copies of the state bingo-raffles law and rules from the Secretary of State's office. Each such notice shall include the address and phone number of the Secretary of State's office.

(2) Each bingo-affle licensee will also post at a conspicuous location a sign (with at least one inch letters) stating:

- (a) That a reference copy of the Colorado bingo and raffles laws and rules is available from the games manager; and
- (b) All bingo-affle licensee rules in effect during that occasion.

(3) With or as part of the sign described at section 2) of this Rule 3, a bingo-affle licensee conducting a progressive jackpot bingo game shall also post, prior to each occasion at which a progressive game is offered, a sign with at least one inch letters stating:

- (a) The bingo pattern or arrangement of numbers a player must complete in order to win the progressive jackpot prize, together with a clear diagram of such arrangement of numbers, if any other pattern than a full card ("blackout" or "coverall") is required to win;
- (b) The maximum number of calls in which a player must complete the required pattern in order to win the progressive jackpot prize;
- (c) If the progressive is a concealed face game, the predetermined quantity of balls to be called initially, in addition to the maximum number of calls in which a player must complete the required pattern after the resumption of the game in order to win the jackpot prize;
- (d) If the progressive is a concealed face game, the point at which card sales, and, if trading is permitted, card trades shall cease prior to the resumption of the game;
- (e) If the progressive is a concealed face game that allows card trading, the conditions for such trading;
- (f) The amount of the prize carried over from previous games in the progression;
- (g) The price and description, including color or design, of the cards to be used for the progressive game, and of the trade-in exchange cards, if the progressive is a concealed face game that allows the trading of cards; and
- (h) The time, date, and location of the next occasion at which the next game in the progression will be conducted if the jackpot prize is not awarded.

In addition, if the licensee has elected to continue a game as a regular bingo in the event that the jackpot is not won, the sign shall state the amount of the regular game prize. The sign shall also designate the subsequent game at the same occasion to which the regular game prize amount will be added in the event that the jackpot is won.

(4) No bingo occasion rule shall be in conflict with state law or rules.

RULE 4 INSPECTION OF PREMISES, RECORDS, MACHINES AND DEVICES

(1) At any time an authorized representative of the Secretary of State's office may enter a licensee's premises without advance notice. During bingo occasions walking space should be left behind players and between tables which would allow authorized representatives to walk down each row of tables with the least amount of interference and inspect bingo cards, packs and sheets in play.

(2) Authorized representatives may perform all or any of the following:

- (a) Make a count of all monies received during the operation of the licensed activities on the premises, inspect income received by the licensee, and inspect records of prizes paid out.
- (b) Examine any of the other bingo and raffles records of the licensee.
- (c) Examine all pieces of equipment or parts thereof, or devices of any nature, which are being used to conduct the licensed activities and require the licensee to dismantle equipment if necessary, except during the operation of a game.

**RULE 5
DISCLOSURE OF PRIZES**

- (1) The bingo-raffle licensee shall disclose full information at the beginning of each occasion specifying the number of prizes to be awarded, whether in cash or merchandise, and the method by which such prizes may be won, including the cost to participants.
- (2) This disclosure need not be made separately and personally to each participant but may be made by conspicuously posting or displaying upon the premises where the games are operated, either the available prizes or a list and complete description thereof, together with the cost to participate in the game of chance. If a progressive jackpot bingo game is offered, this disclosure shall include all the information required by section 3) of Rule 3 of these rules regulating bingo and raffles.
- (3) Any prize awarded must be dependent upon winning a bingo game or having purchased the rights to participate in a raffle. Door prizes may not be given for purchase of rights to play bingo.

**RULE 6
METHOD OF PAYMENT**

No bingo-raffle licensee or any of its members shall allow any person to play any game of chance on credit. The consideration charged for the privilege of playing each game of chance shall be collected in full, in advance. Short or bad checks are the bingo-raffle licensee's responsibility and none of the losses will be charged to bingo, raffle, or pull-tab activities, except fees paid to a check guarantee service for recoveries on bad checks may be paid from bingo receipts.

**RULE 7
AGREEMENT REQUIRING PAYMENT BY LICENSEE BASED UPON PERCENTAGE OF
RECEIPTS FROM AUTHORIZED LICENSEE – PROHIBITED**

No bingo-raffle licensee shall conduct any activity authorized under the bingo and raffle law, if the lease, rent, contract or any other arrangement under which the rights to use the premises for the conduct of the activity requires an unauthorized rental or other payment. The rental shall not be based on a percentage of receipts or profits derived from such licensed activities.

**RULE 8
SECURITY GUARD OR PERSONNEL**

The bingo-raffle licensee will identify paid or volunteer security personnel by badge or uniform on each bingo occasion. These personnel will not be permitted by the bingo-raffle licensee to play or participate in the operation of bingo occasions.

**RULE 9
BINGO GAMES - DAILY OCCASION RECORDS**

- (1) In addition to any other requirement set forth in the bingo and raffles law, each bingo-raffle licensee holding bingo games will maintain records on forms prescribed by the secretary of state or on forms approved by the secretary of state covering each occasion. The records shall disclose the following information and be retained for a period of not less than three years:
 - (a) Gross receipts collected for each card, pack and sheet sold for each occasion.
 - (b) The gross amount paid out for each bingo game.
 - (c) The cash on hand at the beginning of each occasion and the cash on hand at the end of each occasion.

- (d) If a progressive jackpot bingo game is conducted, a separate accounting showing the serial numbers of all cards sold for the game; the serial numbers of all cards traded for the game, if concealed face cards were used and trading was permitted; the gross receipts for all cards; the amount of the jackpot prize at the beginning of the occasion; and the amount of the prize paid out or carried over to the next game in the progression.
 - (e) The signature of the games manager for the bingo-raffle licensee at each occasion.
 - (f) The full name of each member working at each occasion.
 - (g) Receipts collected and prizes awarded for any raffle held at each occasion
- (2) The bingo-raffle licensee shall have available on its premises all required daily records for the current quarter and the quarter immediately preceding on forms prescribed by the secretary of state or forms approved by the secretary of state.

**RULE 10
WORKERS SHALL NOT PLAY – MEMBERSHIP LISTS**

- (1) No bingo-raffle licensee shall allow any person who works or assists at an occasion in any capacity to play bingo or to purchase or play any pull tabs at that particular occasion, whether for that person or on behalf of another.
- (2) At the time of filing an application for a bingo-raffle license pursuant to section 12-9-104, C.R.S., the applicant shall provide a list of active members who are authorized to assist with the applicant's bingo-raffle activities, if the license is granted. Such list shall include members of the licensee's auxiliary, if the licensee has an auxiliary, or, if the licensee is an auxiliary, members of the organization to which licensee is auxiliary, to the extent such members are authorized to assist with the applicant's bingo-raffle activities in accordance with section 12-9-107(1)(a). At any time after filing such list, a bingo-raffle licensee may file with the Secretary of State a supplemental list that designates additional active members who are authorized to assist with the licensee's bingo -raffle activities. No bingo-raffle licensee shall allow any person to work or assist at an occasion in any capacity unless the name of such person is on a list of designated active members on file with the Secretary of State. The Secretary of State may grant a partial or complete waiver from the requirements of filing the list required by this rule where such requirement would be unduly burdensome because of the large number of members authorized to assist and because of frequent changes in the members so authorized.
- (3) Any person who is working or assisting at any occasion in any capacity shall present personal photo identification upon request of any employee or authorized agent of the Secretary of State.

**RULE 11
ALLOWABLE EXPENSE AMOUNTS AND RENTAL AGREEMENTS**

- (1) A bingo-raffle licensee conducting bingo occasions may not pay more than \$40 per occasion for bookkeeper or accountant services in preparing the financial reports for such occasions.
- (2) A bingo-raffle licensee conducting bingo occasions on premises owned by it, or in its sole control, or which it uses rent free may pay a total of not more than \$40 for janitorial services for each occasion it conducts, unless the licensee has requested and received the written permission of the licensing authority to pay a greater amount. Requests shall be by letter, accompanied by documentation of the licensee's anticipated costs for janitorial services and of the prevailing rates of payment for such services in the community in which the licensee's bingo premises are located. Permission shall be granted only for payments that are reasonable in light of such prevailing rates.
- (3) A bingo-raffle licensee may not rent premises for an occasion except from a landlord licensee. A rental fee shall cover the expenses reasonably necessary for the use of the premises for the occasion, plus any promotion expenses authorized by C.R.S. 12-9-102.5(4)(b).
- (4) Upon renting a space in a commercial bingo facility to a bingo-raffle licensee, and before the bingo-raffle licensee conducts any occasion therein, a landlord licensee shall file with the Secretary of State an executed rental agreement. If the bingo-raffle licensee agrees to use games of chance equipment owned by the landlord or another bingo-raffle licensee, the landlord licensee shall also file an equipment agreement. All such agreements shall be on forms prescribed by the Secretary of State or forms approved by the Secretary of State; such approval shall be in writing.

- (5) A rental agreement may be terminated by either party upon at least two week's notice to the other, or upon the voluntary or involuntary suspension of the license of either. The agreement may contain such other terms and conditions upon which the parties shall agree, except:
- (a) It shall not specify the fee that the bingo-raffle licensee shall charge for a player's right to participate in any games of chance conducted during a bingo occasion.
 - (b) It shall not obligate a bingo-raffle licensee to pay for any canceled occasion.
- (6) The rental agreement shall disclose clearly and conspicuously all of the material terms of the agreement, including, but not limited to:
- (a) The amount of rent to be charged for each occasion and the method used to calculate the amount of rent;
 - (b) The location of the rented premises, the term of the rental agreement, the day or days of the week upon which bingo-raffle occasion will be conducted, the number of hours per occasion, and the beginning and ending times of each occasion;
 - (c) A description of any promotion or advertising to be conducted in the commercial bingo facility by the bingo-raffle licensee or by the landlord licensee during the bingo-raffle licensee's occasions, the amounts, if any, to be paid by the bingo-raffle licensee to participate in any promotion or advertising conducted by the landlord licensee, the frequency of such promotions, and the terms and conditions upon which such payments are to be made;
 - (d) The amount, if any, to be charged for security services, but no bingo-raffle licensee may be required to use a landlord licensee's security services in order to rent the premises;
 - (e) The conditions under which the parties may cancel any occasion under the rental agreement.
- (7) No payment from a bingo-raffle licensee to a landlord licensee may be made or accepted unless made by check. Such payments may be made and accepted only for the amounts agreed upon and identified in the rental agreement and any amendments filed with the Secretary of State pursuant to section 12-9-104.5(8), C.R.S..
- (8) A bingo-raffle licensee conducting bingo occasions may pay not more than \$16 per hour for security services for such occasions unless the licensee has requested and received the written permission of the licensing authority to pay a greater amount. Requests shall be by letter, accompanied by documentation of the licensee's anticipated costs for security services and of the prevailing rates of payment for such services in the community in which the licensee's bingo occasions are held. Permission shall be granted only for payments that are reasonable in light of such prevailing rates. Security shall be paid for no longer than the length of the occasion plus one additional hour for money transport, if needed.
- (9) The maximum allowable amounts set in this rule 11 for bingo expenses for bookkeeping, janitorial, and security services shall be adjusted annually on the first day of February, beginning on February 1, 2002. The adjustment to each allowable maximum amount shall be in the percentage as the total overall percent change in the Bureau of Labor Statistics Consumer Price Index. All urban U.S. city average (CPIU) for the preceding calendar year.
- (10) A bingo-raffle licensee shall purchase bingo supplies either in cash or on terms agreed to with the licensed supplier or agent, but such terms shall not exceed sixty (60) days. A supplier shall report to the secretary of state, by the tenth day of each month, the name of any bingo-raffle licensee whose account is in arrears by more than sixty (60) days as of the last day of the preceding calendar month. Upon receipt of the notice of delinquency, the secretary of state shall notify all licensed suppliers, suppliers' agents, and manufacturers and the bingo-raffle licensee that, until further notice from the secretary of state, all sales of bingo supplies to the delinquent bingo-raffle licensee shall be on a cash-only basis. Upon receipt of the notice from the secretary of state, no supplier, supplier's agent, or manufacturer may extend credit to the delinquent licensee until such time as the secretary of state approves credit sales to such licensee in writing.

**RULE 11.5
PROMOTIONS**

(Rule 11.5 repealed, August 7, 2002.)

RULE 12
SALE AND USE OF BINGO CARDS, PACKS, AND SHEETS

- (1) All sales of cards, packs, and sheets shall take place upon the premises at the time of that bingo occasion.
- (2) All cards, packs and sheets shall be sold at a set price. Discounts may be offered on the basis of criteria available to all players, such as quantity purchased. Any charge for the purchase, lease or use of an electronic player aid device shall be at a set price. The price of each type of card, pack, or sheet, including discounts offered, and the charge, if any, for the purchase, lease or use of each type of electronic player aid device that will be offered for use at a bingo occasion shall be posted on the premises at the time of the occasion, in advance of any player purchasing any card, pack, or sheet or paying any such charges for an electronic bingo player aid device.
- (3) Each pack sold for use at a bingo occasion shall be collated from a series or set of consecutively numbered sheets, and each sheet shall contain its individual consecutive series number and the identification number assigned by the manufacturer to that series or set of sheets.
- (4) The purchaser of any cards or packs at the door shall be provided with a tally card or cash receipt which shows, at a minimum, the date of purchase, and the total number of cards or packs purchased. No prize shall be paid without the tally card or cash receipt.
- (5) Prior to starting any game using disposable sheets or packs, the bingo caller shall be furnished the manufacturer's identification number and/or card number and the series number of the set of cards sheets or packs offered for sale for that particular occasion. When a player completes a bingo, the caller shall require the worker on the floor checking the bingo to read other manufacturer's identification number and/or card number and the series number of each winning sheet. Payment shall not be made unless both numbers were among those offered for sale for that game.
- (6) At all bingo occasions where individual disposable cards or sheets are sold, the following procedures shall apply:
 - (a) The individual disposable cards or sheets and a change fund shall be issued to the workers. The exact number of disposable cards or sheets issued to each worker shall be recorded. The disposable cards or sheets shall be controlled by manufacturer's identification number and/or card number and series number.
 - (b) After the cards or sheets for a particular game have been sold, the games manager or other designated person shall count the amount on hand, subtract the change fund, and compare cards or sheets sold against the money turned in.
 - (c) The exact number of cards or sheets of each manufacturer's identification number and/or card number removed from inventory, sold, and returned to inventory, shall be recorded and retained by the bingo-raffle licensee in accordance with Rule 9.
 - (d) The proceeds the sellers have in their possession from the sales of individual disposable cards or sheets may not be used to pay prizes until they have been turned in and counted.
- (7) At all bingo occasions where concealed face cards are sold or used, the following procedures, in addition to those applicable to the sale and use of bingo cards generally, shall apply:
 - (a) All concealed face cards sold or used at any occasion shall be conspicuously stamped in indelible ink with the date of the occasion prior to the sale or transfer of any such card to any player.
 - (b) All concealed face cards shall be sold for a uniform price, except that a licensee may permit players to trade one previously purchased card for one new one with the purchase of an additional card. For example, if a licensee elects to allow trades, a player wishing to trade in two cards shall be required to return the two cards and purchase two more, and shall then be entitled to receive four new cards.
 - (c) A licensee that allows concealed face card trade-ins shall maintain two sets of cards for each concealed face game. One set shall be designated the "original set" and shall be a different color from the second set, which shall be designated the "trade-in set." Players may purchase cards only from the original set, and may trade cards in only for cards from the trade-in set.
 - (d) A licensee that allows concealed face card trade-ins shall mark or deface all returned cards, so that they cannot be further played, and retain such traded-in cards for a period of six (6) months following the end of the quarter in which the tickets were redeemed.

- (8) The secretary of state shall be notified within seventy-two (72) hours if at the end of the occasion the cash counted is short by \$30.00 or more.
- (9) The following procedures and requirements, in addition to those in effect for bingo operations generally, shall apply to the sale and use of progressive jackpot bingo cards and sheets:
- (a) Only disposable paper cards, distinguishable by a color or design that the licensee does not use for any other game, shall be sold or used for any progressive jackpot bingo game.
 - (b) Each card sold for a progressive game shall contain five rows of five squares with 24 preprinted numbers, a free center space, and the letters B, I, N, G, O printed in order over the five columns.
 - (c) Each and every card for a progressive game shall be sold for a set price. The price shall be not less than one dollar per card, shall be determined by the licensee before the first game in a progression, and shall remain the same for all games in such progression. No discounts, free cards, price changes, or variant pricing shall be permitted.
 - (d) All cards for a progressive bingo game shall be sold prior to the drawing of the first number for such game, except that, if the progressive is a concealed face game, cards may be sold after the first drawing of numbers and before the game is resumed, in accord with section (9) of this Rule 13.
 - (e) Progressive cards shall be sold and accounted for separately from any other cards, sheets, or packs sold or used at a bingo occasion, but a licensee may, by house rule, make purchase of a pack or door card a prerequisite for purchase of a progressive card.

RULE 13 CONDUCT DURING BINGO GAMES

- (1) Authorized equipment and cards, including all bingo related items used in the conduct of bingo, shall be maintained in good repair and sound working condition. Authorized representatives of the secretary of state may order any equipment, cards or related items immediately repaired or replaced, if after examination, they are found to be defective. Authorized representatives of the secretary of state shall do such order in writing.
- (2) All balls used during bingo games shall be present in the receptacle before each occasion, and shall be checked by at least one bingo player immediately prior to the first game of the occasion.
- (3) Once a ball is removed from the machine it may not be returned to the receptacle until the conclusion of that game.
- (4) The master board which is the rack in which the balls are placed is the only official scorer. A lighted display board may be used but is not official.
- (5) Immediately following the drawing of each ball in a bingo game, the caller shall display, or cause to be displayed, the letter and number on the ball to the participants by means of a monitor or physically showing the number and letter to the participants in the game so the participants may know that the proper number has been called. The letter and the number on the ball shall be called out clearly and announced twice prior to the drawing of any other ball. After the letter and number are called, the corresponding letter and number on the flash board, if any, shall be lit for participant viewing. The ball is not official until it has been properly called. If monitors are used, a sign shall be placed by each monitor that shall read: "Ball on TV is not official until called."
- (6) If the bingo caller discovers that the wrong number has been called, the caller will then announce, "I am reading the correct number, please correct your card or sheet." The caller will then correct the board and continue with the game.
- (7) Each bingo game will be closed with the following procedure:
- (a) The game must be stopped after the winning combination has been signaled from a player or worker.
 - (b) The ball the caller has removed from the machine or which is otherwise selected by the machine, or which the caller has started to call, will not be called. This ball will be held by the caller or otherwise retained until the bingo has been verified and then returned to the machine, unless the verified bingo is part of a multi-part or continuing game.
 - (c) If a game is stopped for a bingo which proves not to be a good one, or is a verified bingo as part of a multi-part or continuing game, the caller will then call the ball he was holding or the ball that was otherwise selected by the machine at the time the game was stopped.
 - (d) Only one ball may be selected at a time.

- (e) The last number called is not a requirement for a good bingo, unless there is a conspicuously posted bingo occasion rule to the contrary.
 - (f) The worker on the floor must place the bingo to be checked as a winner in front of at least one other player at a different table who can confirm that the bingo is in fact a good bingo. The worker on the floor shall call the numbers of the winning combination to the bingo caller or, in the case of a coverall or blackout bingo, the caller may call the numbers that have not been called, unless an electronic bingo number verification device is used to verify the bingo. If a signaled bingo is determined to not be a good bingo by the electronic verification device, the caller shall require the worker on the floor to call the numbers of the winning combination so that the numbers can be checked against the numbers actually called.
 - (g) The bingo caller must then ask the players “Are there any other bingos?” If no one answers after at least two such inquiries, the caller must announce “This game is completed.”
 - (h) No balls with creases, holes or other damage will be used during any bingo game.
- (8) When multiple or duplicate winning arrangements of numbers appear on a card or cards or sheet in play for a single game or part of a game, the prize for that game or game part shall be equally divided so that each winning arrangement receives the same amount, regardless of the number or identity of players involved. If a prize is divided, the amount given may only be rounded up to the nearest twenty-five cents.
- (9) The following requirements and procedures, in addition to those applicable to bingo games generally, shall apply to concealed face (“predraw” or “breakopen”) bingo:
- (a) No more than one concealed face game shall be offered at any bingo occasion.
 - (b) The bingo balls, receptacle, and master board used for other games at an occasion shall not be used for the concealed face game, which shall be conducted using separate equipment.
 - (c) Only concealed face cards shall be offered, sold, or used for any concealed face game.
 - (d) A concealed face game shall begin when, after the conclusion of the first bingo game offered at an occasion and before the second game is started, in the presence of the players attending the occasion, the caller draws, announces, and displays a predetermined quantity of the separate concealed face game bingo balls and places them in the separate concealed face game master board.
 - (e) The numbers drawn for a concealed face game must be in plain view of the players at all times during the conduct of the game.
 - (f) After the predetermined quantity of balls has been called and posted, and before the end of the occasion, the concealed face game shall be resumed and concluded with the following procedures:
 - (i) Immediately prior to selection of the next bingo ball from the separate concealed face game receptacle, the caller shall ask, at least twice, if any player has completed the required bingo pattern for the game.
 - (ii) All players who have completed the pattern within the predetermined quantity of balls drawn initially are deemed to be equal winners, regardless of the order in which the initial numbers were drawn and posted.
 - (iii) If no bingo has been declared and verified after the caller’s second request for winners, the caller shall resume drawing and calling from the remaining concealed face bingo balls.
 - (iv) If the concealed face game is not the licensee’s progressive game, the caller shall continue to draw and call from the remaining balls until a bingo is declared and verified, at which time the game shall be closed in accord with the procedures set forth in this Rule 13.

- (v) If the concealed face game is the progressive game, the caller shall continue to draw and call from the remaining balls until the predetermined quantity of balls to be called after resumption of the game has been reached, unless a bingo is sooner declared and verified. The game shall conclude when the last ball of the predetermined quantity is called or when a progressive jackpot winner is verified, whichever occurs first.
 - (g) Concealed face cards may be sold or traded during the game, after the initial drawing and posting of the predetermined quantity of numbers, but no such card shall be sold or traded after the game is resumed. Unless concealed face cards are used for the progressive game, all sales and trades shall cease at the time of the caller's first request for winners, and before the selection of the next ball after the initial drawing and posting. If concealed face cards are used for the progressive game, all sales and trades shall cease at least 15 minutes prior to the resumption of the game, or, alternatively, shall cease for the duration of the bingo game next preceding resumption of the progressive game, in order to allow sufficient time for the licensee to calculate and announce the progressive jackpot prize amount before the progressive game is resumed.
- (10) The following requirements and procedures, in addition to those applicable to bingo games generally, shall apply specifically to the conduct of progressive jackpot bingo:
- (a) Only one progressive jackpot game shall be conducted at any bingo occasion.
 - (b) Once a progressive jackpot bingo has begun, it shall be continued at each successive bingo occasion of the sponsoring licensee until the jackpot prize is won.
 - (c) The bingo pattern or arrangement of numbers required to win a progressive jackpot prize shall be the same throughout all games in a progression.
 - (d) The card type used for a progressive game, whether concealed face or open face, shall be the same throughout all games in a progression.
 - (e) For each successive game in a progression, the number of calls in which a player must complete the pattern or arrangement of numbers required to win the prize may remain the same or be increased.
 - (f) No progressive jackpot game shall be the last game offered or played at any bingo occasion.
 - (g) Immediately prior to the drawing of the first number for any progressive game, the caller shall clearly announce the maximum number of calls in which a player must complete the pattern or arrangement of numbers required to win the progressive jackpot prize, the amount of the jackpot prize, the description of the card for the progressive game, and the time and date of the occasion at which the next game in the progression will be conducted if the jackpot prize is not awarded. If the progressive is a concealed face game, this announcement shall also be made immediately prior to the resumption of the game.
 - (h) When no progressive jackpot winner is determined in the designated number of calls for a progressive game, the entire jackpot prize amount, without deductions for consolation prizes, shall be carried over to the next game in the progression. After the designated number of calls, the licensee shall either proceed to its next regular bingo game, or continue the game that was begun with the designated calls as its next regular game. If the licensee elects to continue the game as a regular bingo, the prize amount for the game shall be subject to the limitations set forth at CRS 12-9-107(13), and shall not, when aggregated with all other bingo prizes offered or given at the occasion, cause the total prize amount for the occasion to exceed fifteen hundred dollars.
 - (i) No progression shall continue for more than 30 successive occasions. If the jackpot prize has not been won before the thirtieth game in a progression, a winner must be determined and the jackpot prize must be awarded at the thirtieth occasion, regardless of the number of calls necessary.
 - (j) If, before a progressive jackpot bingo prize has been awarded, the sponsoring licensee's license will expire and is not renewed, or is suspended, revoked, or surrendered, or the licensee terminates its bingo activities for any other reason, the jackpot prize winner shall be determined and the prize shall be awarded on the licensee's last authorized bingo occasion, regardless of the number of calls needed to produce a winner.

- (k) If a licensee regularly conducts bingo occasions at least weekly at each of two licensed commercial bingo facilities, the licensee may offer and continue one jackpot bingo progression at each facility, provided that each progression is conducted in accord with this Rule 13 and all other applicable provisions of the law and rules governing bingo activities, and further provided that all games in a progression are conducted at the facility where the game was begun.
- (l) Winning progressive bingo cards shall be verified by the caller, a floor worker, and at least one other player, all of whom shall verify the card by manufacturer's identification number, series number, and numbers called, in accord with section 7) of Rule 13 and section 5) of Rule 12 of these rules.
- (m) All progressive bingo prize amounts in excess of \$500 shall be paid by check.
- (n) A progressive jackpot bingo prize need not be paid immediately upon the determination of a winner of the game, provided that:
 - (i) The prize amount exceeds \$500;
 - (ii) The prize is paid in full within 48 hours after the card is presented for payment;
 - (iii) The prize is paid at a location and in a manner acceptable to the winner;
 - (iv) The winner is presented with the licensee's voucher or promissory note for the full amount of the jackpot prize, signed by the licensee's games manager and one other member of the licensee, which voucher or note states the name and bingo-raffle license number of the licensee; the date, time, and location of verification of the winning card; the manufacturer's serial and identification numbers of the winning card; the identification of the winner of the prize; and the time, date, and manner in which the check for the prize payment will be delivered to the winner.
- (o) All receipts from the sale of progressive bingo cards shall be kept segregated from other games of chance receipts of a licensee. All such receipts shall be deposited in the games of chance bank account required by CRS 12-9-108 by means of a separate deposit slip, which shall show the serial numbers of the cards sold. Receipts from the sale of progressive bingo cards shall be deposited no later than the close of the business day next following the day of the occasion at which the cards were sold.
- (p) An amount equal to at least seventy percent of the proceeds from the sale of progressive bingo cards shall be held in the licensee's bank account continuously for the entire duration of the progression. No part of this amount shall be expended, transferred, or otherwise removed from the account before the progressive jackpot prize is won.

RULE 14
CONSECUTIVE BINGO OCCASIONS - OPERATIONS AND LIMITATIONS

Bingo-raffle licensees may conduct two bingo occasions consecutively, or back-to-back, provided all of the following procedures are met:

- (1) All games of chance from the first occasion shall be concluded and all player related activities completed, including, but not limited to, prizes paid, pull tabs dispensed, opened and redeemed prior to the end of the first occasion.
- (2) The second occasion shall not begin until at least fifteen (15) minutes after the conclusion of the first occasion, or until the final accounting for games of bingo played and pull tabs is completed and the books are closed for all of the first occasion activities, whichever is longer.
- (3) Pull tabs and other raffle tickets shall not be sold after the conclusion of the first occasion and before the commencement of the second occasion.
- (4) No activities from the first occasion may be continued during the second occasion, nor shall any cards, sheets, tickets, admissions, or chances for the second occasion be sold, offered, distributed, reserved or otherwise referenced in or during the first occasion, or during the accounting period referenced in Section 2 of this Rule 14.

RULE 15
RAFFLE TICKETS - LIMITATIONS, SALE AND DRAWING REQUIREMENTS

- (1) Bingo-affle licensees conducting raffles shall comply with the following requirements:
- (a) Tickets for entry in a raffle drawing shall be sold at a stated price, and each ticket constitutes a separate and equal chance to win with all other tickets sold.
 - (b) All tickets for use in any raffle shall be consecutively numbered and shall have a stub or detachable section bearing the same number as the ticket.
 - (c) Any merchandise offered as a raffle prize shall be fully owned by the bingo-affle licensee, free of any debt(s), lien(s), and encumbrance(s), prior to the sale of any raffle ticket.
 - (d) After the sale of the first raffle ticket, no raffle shall be canceled, altered, or postponed for any reason.
 - (e) All proceeds from raffle ticket sales are income under the bingo and raffles law, and shall be reported as such regardless of whether such terms as “donation”, “gift”, or “contribution” are used on such tickets or in connection with raffle activities.
 - (f) No drawing shall be held in connection with any raffle unless each and every stub from all tickets sold, and only such tickets stubs, shall first have been placed in the receptacle out of which the winning ticket stub(s) are to be drawn. The receptacle shall be designed so that each ticket stub placed therein has an equal opportunity with every other ticket stub to be the one withdrawn.
 - (g) Sales of raffle tickets at the bingo occasions shall be made at a location separate from the sale of bingo cards, packs, or sheets, and must be separately recorded. The sale of a raffle ticket shall not be conditioned upon the purchase of the right to play bingo, or payment of an admission fee to a bingo occasion. No more than one raffle shall be held during any single bingo occasion, with the exception of pull tabs.
- (2) In addition to complying with the provisions of Rule 15(1) above, bingo-affle licensees conducting raffles in which the total retail value of the prize or prizes exceeds Two Hundred and Fifty Dollars (\$250) shall also:
- (a) Print a ticket stating the bingo-affle license number and the name of the licensee, exactly as it appears on the license, together with the time, date, and place of the drawing, the cost of the ticket, an adequate description of the major prize or prizes offered, and the word “Raffle”.
 - (b) Print on the ticket a statement informing the holder whether holder’s presence is required at the drawing in order to win a prize.
 - (c) Print a ticket stub providing for the entry of the name and address of the ticket purchaser.
 - (d) File a voided ticket for such raffle with the secretary of state prior to the sale of any tickets.
 - (e) File proof of ownership (such as a bill of sale or title) if the prize is a motor vehicle (including an automobile, truck, van, or motorcycle), a residence or other real estate or if the prize has a retail value of Five Thousand Dollars (\$5,000) or more.
 - (f) Retain all winning raffle ticket stubs, non-winning ticket stubs, and unsold tickets for six months following the quarter in which the drawing was held.
 - (g) Notify all winners by U.S. postal service certified mail, return receipt requested, who have not claimed their prize within thirty (30) days of the drawing. The notification shall state the prize won, a telephone number of a contact person, and the time and location where the prize can be claimed. If the prize has not been claimed within thirty (30) days of receipt of the notification, the bingo-affle licensee may retain the prize or offer it in another raffle.

RULE 16
PULL TAB OPERATION

- (1) The flare accompanying the deal containing all required game information shall be posted in close proximity to the deal and must be in view of the players while the deal is in play.
- (2) No bingo-raffle licensee shall permit the display or operation of any pull tabs which may have been marked, defaced, tampered with or otherwise placed in a condition or operated in a manner which may deceive the public. No commingled pull tab deals may be displayed or sold. A commingled series or deal of pull tabs is one containing two or more serial numbers of the same form number.
- (3) No bingo-raffle licensee shall knowingly obtain or allow upon the licensee's premises a deal of pull tabs or portion thereof with the same serial number, form number and color code combination as any other deal of pull tabs or portion thereof in the possession or on the premises of the licensee.
- (4) Prior to the end of the bingo occasion, the bingo-raffle licensee shall ensure that the winning combination of every winning pull tab ticket is defaced in such a manner that the winning ticket combination can still be identified but cannot be used or altered for use again. In the case of a bingo-raffle licensee conducting pull tabs only on premises owned by it or in its sole control, all winning pull tab tickets shall be so defaced prior to the daily close of such premises. The licensee shall keep all redeemed winning tickets of twenty dollars (\$20) or more and all opened flares and sign-up sheets for seal pull tabs for six months following the end of the quarter in which the tickets were redeemed. No ticket from a seal or other pull tab shall be redeemed except for the prize shown on the flare for the symbol combination on the ticket presented for redemption, nor shall any prize be awarded except upon presentation, verification and redemption of a ticket showing such a winning combination.
- (5) Bingo-raffle licensees conducting bingo occasions at two or more locations may conduct pull tab operations using different deals of pull tabs at each location provided that:
 - (a) Pull tabs with the same name, form number and serial number may not be used at each location.
 - (b) In the event that games of chance activities are terminated at one location, all opened pull tab deals from the terminated location shall be displayed and sold with the pull tabs at the remaining location.
 - (c) Required records for all such deals regardless of sales location shall be available for inspection at each location.
- (6) No deal or series of pull tab tickets or any unsold portion thereof and no seal flare shall be removed from display and sale after any ticket from such deal or series has been sold except upon order of the Secretary of State or any law enforcement authority or on account of demonstrated unsalability. Additionally, a deal or series of pull tabs shall be removed from display and sale because of defects as described in Section 9 of this Rule 16. A ticket or portion of a pull tab deal or series is unsalable when it has been displayed and openly offered throughout the duration of two consecutive bingo occasions at the particular location or for two weeks continuously at bar, clubrooms, or other pull tab location of the licensee without the sale of any ticket from the deal or series. Except for tickets removed from sale because of defects, as described in section 9 of this rule 16, the licensee shall keep any unsold or unsalable pull tab tickets unopened for four (4) months following the end of the quarter in which such tickets were removed from sale. After the required retention period, such tickets shall be destroyed in such a manner as to deface and destroy any winning combination of numbers or symbols.
- (7) No pull tab ticket may be sold for a price different than the price stated on the deal's flare.
- (8) The bingo-raffle licensee shall ensure that if all pull tabs from a deal are not displayed in the same receptacle at the same time, tickets added to the display shall be mixed with the tickets remaining in the receptacle.
- (9) No defective series or deal of pull tabs shall be displayed or sold by any licensee. A series or deal of pull tabs is considered defective when more than one serial number, color code, or ticket name is included in a series or deal. Additionally, printer's or manufacturer's mistakes or misstatements on tickets which adversely affect the gross receipts and/or profit of the pull tab series or deal shall be considered a defect. Upon discovery of a defective pull tab series or deal, the bingo-raffle licensee shall immediately remove the same from display and sale and refund the purchase price of all presented winning tickets and all unopened tickets in players' possession. The Secretary of State shall be notified in writing within seventy-two (72) hours of the discovery of a defective series or deal of pull tabs. After 30 days have elapsed from the date of discovery of a defective pull tab series or deal, or after inspection of such series or deal by a representative of the licensing authority, whichever occurs first, the bingo-raffle licensee shall return to the pull tab's manufacturer all tickets from the defective series or deal that are in the licensee's possession, including all returned, redeemed, and unopened tickets.

- (10) Each licensee selling any pull tab tickets shall record sales and prize payout information on forms prescribed by the secretary of state or forms approved by the secretary of state, including a current summary of such sales. The records shall be kept current at all times and retained by the licensee for a period of three years. The records for the current quarter and the quarter immediately preceding shall be available for inspection by the Secretary of State at the pull tab games address.
- (11) No pull tab ticket shall be offered for sale or sold unless it has a pull tab or seal to be opened by the purchaser.
- (12) No pull tabs shall be set aside or reserved for any person.
- (13) A bingo-raffle licensee may sell or pay in full any pull tab deal which offers a prize for the "Last Sale" in the deal if the bingo-raffle licensee:
- (a) Completes the forms required by the Secretary of State for each such "Last Sale" pull tab prize paid, and retains the same for four months after the end of the quarter in which the prize was paid.
 - (b) Verifies the identification of the winner of the "Last Sale" pull tab prize, regardless of amount, including such person's name, address, and driver's license number or Colorado identification number. No "Last Sale" prize may be paid without such verified information.
- (14) Each bingo-raffle licensee conducting a seal pull tab game shall comply with the following procedures:
- (a) No licensee shall operate, offer for sale or put into play more than one seal pull tab deal of the same game name, form number and serial number at one time.
 - (b) The licensee shall post the flare for the deal in play at the location of the seal game. The flare shall be posted out of reach but fully visible to any player present. Tickets redeemed for a chance at a seal pull tab prize ("hold tickets") shall be defaced and returned to the purchaser. The licensee shall keep, post, and maintain for the duration of the game each seal pull tab deal flare with a correct and accurate record thereon of the names of all holders of redeemed tickets which offer a chance on the seal tab prizes and the potential winning combination of each such ticket redeemed. In addition, the bingo-raffle licensee shall maintain a separate list of the addresses of all holders of redeemed tickets in order to contact them in the event that they are not present when the winning combinations are revealed. The licensee need not maintain a sign-up sheet and address record for a small seal pull tab deal or progressive game. A small deal or game shall be one consisting of 600 or fewer tickets that is reasonably anticipated to sell out in the course of a single bingo occasion or in one day at a licensee's bar or club room.
 - (c) When all tickets from a seal pull tab deal have been sold or the deal has been demonstrated to be unsalable, the seal tab for the deal shall be broken or torn open, in plain view of all persons present, by a player eligible to win the seal tab prize. The winning combination(s), the specific form number, the name of the game, and the serial number of the deal shall be announced and posted at the location of the game. The name and license number of the licensee and the date the seal tab was opened shall be recorded on the flare.
 - (d) If a winning ticket for a seal deal is not redeemed upon the opening of the seal, the licensee shall, within 15 days after the seal is opened, notify the holder of the ticket, in writing, at the address shown on the sign-up sheet, stating that said ticket holder is of record as possessing the winning ticket. The notification must give the game name and form number and the serial number of the deal, and must also state that the winner must present the winning ticket for verification before any prize may be awarded.
 - (e) If a seal pull tab deal is not sold out before the end of a bingo occasion or the closing time for a bar or clubroom where the deal was offered for sale, the bingo raffle licensee shall announce and post that fact, giving the game name, the form number and the serial number of the deal not sold out and the time, date and place of the next scheduled conduct of pull tab operations, and advising patrons to retain potential winning tickets until the flare is opened. The licensee shall also prepare a complete and accurate sign-up sheet and address record, as described in section (14)b of this Rule 16 for any small seal pull tab game that does not sell out as anticipated in a single occasion or day.
 - (f) Seal flare prize winning tickets shall be redeemed and retained by the licensee in the same manner as other winning pull tab tickets.

(15) The conduct and operation of any progressive pull tab game shall comply with the following specific requirements, in addition to those set forth elsewhere in these rules and the provisions of the bingo-raffle law and rules applicable to pull tabs generally:

- (a) No licensee shall offer or put into play more than one progressive pull tab deal at any one time.
- (b) After a progressive pull tab game has been started, it shall remain in play continuously until such time as a jackpot winner is determined. The game shall be offered either at each succeeding bingo occasion of the sponsoring licensee, if such game is begun at a bingo occasion, or on each succeeding day, if such game is begun on the licensee's premises.
- (c) Prizes in a progressive pull tab game shall be offered and awarded only and wholly in accord with the manufacturer's predesignated prize structure for the game.
- (d) The flare or jackpot card for each deal in a progressive pull tab game shall show, in addition to all other information required for pull tab flares, the amount dedicated to the progressive jackpot prize and the current total of such prize. The total shall be modified each time a contribution is made.
- (e) Every flare for each deal that has been played or is being played in the course of a progressive pull tab game, together with any jackpot card for the game, shall be displayed or kept available for viewing at the location of the game at all times when the game is in play, until such time as the progressive jackpot prize is won.
- (f) No prize in a progressive pull tab game shall exceed \$5,000 in amount or value. If a jackpot prize reaches \$5,000 without a winner, the prize must be awarded in accord with the manufacturer's specifications for the determination of a winner upon accumulation of the maximum amount. If no such specifications are built into the progressive game being conducted, the game shall continue in accord with the manufacturer's specifications, but without further contributions to the jackpot amount, until the jackpot prize is won. Any amounts designated as jackpot contributions that are received after the prize reaches \$5,000 shall be deemed to be part of the licensee's gross proceeds from the progressive game, and shall be so designated and reported on the licensee's games of chance financial statements.
- (g) All progressive pull tab prize amounts in excess of \$500 shall be paid by check.
- (h) Notwithstanding the requirements of rule 17 (3) of these rules, a licensee need not pay a progressive pull tab jackpot prize upon presentation of the winning ticket for redemption, provided that:
 - (i) The prize amount exceeds \$500;
 - (ii) The prize is paid in full within 48 hours after the ticket is presented for payment;
 - (iii) The prize is paid at a location and in a manner acceptable to the winner;
 - (iv) The presenter of the winning ticket is provided with a dated, timed receipt, signed by the licensee's games manager, that contains either a full description of the winning ticket, including its serial number and winning combination and the name and form number of the game from which it came, or a copy of both sides of the ticket itself; and
 - (v) The presenter of the winning ticket is provided with the licensee's voucher or promissory note for the full amount of the jackpot prize, signed by the licensee's games manager and one other member of the licensee, which voucher or note states the name and bingo-raffle license number of the licensee, the date on which the ticket was presented for redemption, the amount of the prize, the identification of the winner, and the time, date, and manner in which the prize payment will be delivered to the winner.
- (i) If a licensee's license is suspended, revoked, or surrendered or the licensee terminates its bingo-raffle activities for any other reason during the course of its conduct of a progressive pull tab game, the game shall be played out without further contributions to the jackpot and in accordance with the instructions of the Secretary of State, on or before the licensee's last authorized occasion or day of games of chance operations. The licensee shall publicly announce the date and time of the last authorized occasion by posting such announcement in the hall in which bingo-raffle occasions are held and by making such announcements to the licensee's membership as are customarily made during scheduled membership meetings. If there is no winner of the jackpot prize on the last authorized occasion, the licensee shall conduct a public drawing for the prize by issuing one ticket free of charge to each member of the public who is present at the end of the occasion, who is at least eighteen years of age, and who is not involved in the conduct of the occasion or the management, rental, or

ownership of the commercial bingo facility at which the occasion is conducted in any manner, without regard to whether the person was a participant in any game of chance during the occasion. The jackpot winner will be the person whose ticket is drawn at random from a receptacle in which all tickets have been placed.

- (j) No prize in any progressive pull tab game shall be paid out unless the serial and form numbers of the winning ticket match the serial and form numbers of a deal contributing to the jackpot amount.
 - (k) A progressive pull tab game shall end with the award of the cumulative jackpot prize or, if the jackpot prize is unclaimed, upon expiration of a fifteen day period after determination of the winner. If, however, a jackpot prize is not claimed by the next day or occasion on which the licensee conducts pull tab activities, the licensee may begin a new progressive pull tab game and shall not be deemed to be conducting more than one such game at one time.
 - (l) If a jackpot prize is not claimed upon determination of a winner, a licensee shall continue, for fifteen days after such determination, to display all flares and jackpot cards for the game that offered the prize in plain view of all players at its bingo occasions or pull tab operations. Within the fifteen-day period, the licensee shall also provide the winner with the notice described in section 14) d of this Rule 16.
 - (m) Unclaimed progressive pull tab prizes shall become the property of the licensee after fifteen days from the determination of a winner, provided that the licensee has fulfilled the requirements of subsection j of this section 15).
 - (n) All receipts from sales of tickets for any progressive pull tab game shall be segregated from other games of chance receipts of the licensee. All such receipts shall be deposited in the licensee's bingo-raffle bank account by means of separate deposit slips, and on each such deposit slip shall be shown the serial number(s) of the deal(s) from which the receipts were received.
 - (o) At all times during the conduct of any progressive pull tab game, the licensee conducting the game shall maintain a bingo-raffle bank account balance sufficient to pay out any prize(s) offered in the game. Failure to have sufficient funds available in the account to pay prizes, or any attempt by a licensee or any member of a licensee to utilize carry-over jackpots for personal or organizational purposes, shall be prima facie evidence of defrauding of players.
- (16) A Colorado licensed supplier or manufacturer that sells progressive pull tab games to any Colorado bingo-raffle licensee may elect to discontinue distribution or production of any specific progressive pull tab game that it has sold in Colorado if and only if:
- (a) The supplier or manufacturer provides at least sixty (60) days written notice to the secretary of state and all bingo-raffle licensees that have purchased said pull tab game from such supplier or manufacturer within the previous 12 months that the supplier or manufacturer intends to discontinue the distribution or the manufacture of said progressive pull tab game on a specified future date, which date shall be not less than 60 days after such notice is received by the secretary of state, and
 - (b) The supplier or manufacturer maintains a sufficient inventory of pull-tab deals for that progressive pull-tab game to ensure that all bingo-raffle licensees that have purchased said game within the previous year can close the game by awarding a jackpot.

RULE 17 CONTROL OF PRIZES

- (1) Pull tab licensees shall award all prizes in cash, by check, or in merchandise, except that winning cash tickets may be exchanged for new tickets of the same deal and serial number.
- (2) The licensee shall display photographs and descriptions of merchandise prizes so that a player can easily determine the types and values of merchandise prizes offered.
- (3) Pull tab prizes shall be awarded immediately upon determination of a winner. Any ticket presented 10 days after such determination may be considered void and of no value, and the licensee may elect to not redeem such pull tab for the prize, except as provided for seal and progressive pull tab winners pursuant to Rule 16 of these Rules.
- (4) No person selling pull tabs and no person managing or working in any capacity at any bingo game or other places where pull tabs are sold shall state, imply, or in any way indicate to the purchaser of pull tabs the number or type of tickets that have been redeemed or that remain in the container.

**RULE 18
CANCELLATION OF GAMES**

Previously scheduled bingo occasions may be canceled only by posting a notice of cancellation at the location of the scheduled game at least one hour prior to the scheduled beginning of the occasion. For occasions played at commercial bingo facilities, this shall be the rental agreement start time. For occasions played at facilities owned by the licensee or used without charge, this is the time the licensee normally admits players into the facility.

**RULE 18.5
FINANCIAL STATEMENTS OF BINGO-RAFFLE LICENSEES**

- (1) A bingo-raffle licensee shall report each and every games of chance expense incurred during any calendar quarter on the financial statement covering that quarter, regardless of whether such expense is paid when incurred or is to be paid at a later date. No expense that has already been reported on the financial statement covering the quarter in which it was incurred shall be reported again when it is paid in a subsequent quarter.
- (2) On each quarterly financial statement filed, a bingo-raffle licensee shall show the number of its special segregated games of chance checking or savings account, established in accord with the requirements of C.R.S. 12-9-108(3), and identify the financial institution at which such account is maintained. No licensee shall show the number of any account other than a special games of chance account on any quarterly financial statement.

**RULE 19
FEES**

Effective July 1, 2000, the fees authorized by the Bingo-Raffle law shall be as follows:

- (1) The fee payable to the Secretary of State for each new or renewal manufacturer or supplier license shall be \$600.
- (2) The fee payable to the Secretary of State for each new or renewal manufacturer's or supplier's agent license shall be \$160.
- (3) The quarterly fee payable to the Secretary of State with each quarterly report filed by a manufacturer or supplier licensee shall be an amount equal to one and two tenths percent (1.20%) of the total gross sales of bingo-raffle equipment by the reporting licensee during the quarter covered by the report.
- (4) The fee payable to the Secretary of State for each new or renewal commercial landlord license shall be \$1,000.
- (5) The fee payable to the Secretary of State for each new or renewal bingo raffle license shall be \$62.50.
- (6) The administrative fee payable to the Secretary of State with each quarterly financial report filed by a bingo-raffle licensee shall be in amount equal to a percentage of the gross receipts from all licensed games of chance held, operated or conducted by the reporting licensee during the quarter covered by the report. The percentage shall be as follows:
 - (a) Three tenths of one percent (0.3%) when the licensee's gross receipts during the covered quarter total less than \$100,000;
 - (b) Four tenths of one percent (0.4%) when the licensee's gross receipts during the covered quarter total \$100,000 or more.
- (7) The fee payable to the Secretary of State for each new or renewal games manager certificate shall be \$10.

RULE 20
PULL TAB READING DEVICE LICENSING

- (1) A manufacturer or supplier seeking licensing for any pull tab reading device(s) shall apply for such licensing on forms prescribed by the Secretary of State. The application shall include, but without limitation, the name, address, telephone number and current Colorado bingo-raffle supplier's or manufacturer's license number of the applicant; the make, model and description of the device(s) for which licensing is sought; the unique serial or identification number of each device for which licensing is sought; and the specific location where each device is to be licensed for use.
- (2) After an application is filed in the office of the Secretary of State, the applicant shall contact the independent contractor employed by the Secretary of State to conduct tests and inspections of pull tab reading devices. The applicant and contractor shall arrange for mutually convenient, efficient, and economical contact or access for testing and inspection purposes to each device for which licensing is sought.
- (3) In testing and inspecting pull tab reading devices the contractor shall determine if the device complies with the following standards:
 - (a) The device performs as designed;
 - (b) The operation and functional ability of the device is limited to reading or validating a pull tab ticket inserted by the player.
 - (c) The pull tab ticket itself must display its winning or nonwinning status so that use of the device is not required to determine such status.
 - (d) The device operates with one hundred percent (100%) accuracy in reading pull tab tickets and displaying their winning or nonwinning status;
 - (e) The device is not (I) a pull tab game that is stored, electronically or otherwise, within a device and designed to be played on such device or (II) a device that qualifies as a slot machine pursuant to section 9(4)(c) of Article XVIII of the Colorado Constitution;
 - (f) The device is otherwise permitted to be licensed by section 12-9-107.7, C.R.S., as may be amended from time to time;
 - (g) The device complies with any other applicable requirements and standards for licensing as may be specified from time to time in amendments to article 9 of title 12 C.R.S. or the rules adopted by the Secretary of State pursuant thereto.
- (4) If a device does not comply with the testing and inspection standards, the contractor shall inform both the applicant and the Secretary of State of the deficiencies discovered and the requirements necessary to bring the device into compliance.
- (5) If the device does comply, the Contractor shall so certify in writing to the State. The certification shall state with specificity that the device complies with all testing and inspection standards and has been secured in its certified state.
- (6) The first device of any particular make, model and description to be tested, inspected and secured and certified in compliance shall be designated the prototype for additional identical devices submitted by an applicant. Testing and inspection for the additional devices shall be only such as is necessary to ascertain with certainty that each device is identical in all respects with the prototype.
- (7) The cost of device testing and inspection shall be borne by the applicant for licensing of the device. The applicant shall be billed by the contractor at an hourly rate, in quarter hour (15 minute) increments, for each hour of direct service actually provided, and only for such direct service. Neither the hourly rate or the time spent shall exceed reasonable amounts in accord with prevailing device testing and inspection standards and practices nationally in the bingo-raffle industry. The contractor may exercise discretion in determining methods of fee collection for services rendered to any applicant, including, but not limited to, payment in advance, deposit in advance, payment at regular intervals, or payment on completion of services but before certification to the Secretary of State of any device.
- (8) Each license issued for a pull tab reading device shall be securely and permanently affixed by the applicant on or near the licensed device. The license shall be displayed clearly visible and to indicate with certainty the particular device licensed. If a license is damaged, lost, destroyed or in any way rendered illegible or unusable, the applicant shall forthwith notify the Secretary of State in writing of the circumstances of the loss or damage, specifying the unique identification number and location of the device for which the license was issued, and shall request a duplicate, which shall be displayed in the same fashion as the original.

(9) A device license is valid only for use in the specific licensed location specified in the license application, or in an amendment thereto, and identified by the Secretary of State on the license. Movement of a device from the licensed location shall require license amendment, and shall be reported to the Secretary of State in writing not less than 10 days before the device is moved, in order to allow time for the completion and issuance of such amendment.

(10) Any alteration of the device shall require a new license.

(11) Any device in operation on August 31, 1999 may continue in operation without a license until the Secretary of State acts upon the license application for the device if, within ten business days of the effective date of this rule, a license application is submitted to the Secretary of State on the form prescribed by the Secretary of State and the device is submitted for testing and inspection in accordance with this rule.

RULE 21 FINES

(1) The schedule of fines provided in this Rule 21 applies to any violation of the Bingo and Raffles Law or Rules for which the licensing authority elects to impose an administrative fine instead of seeking a license suspension or revocation.

(2) A class 1 violation is one demonstrating an element of willfulness, in that it involves a licensee's performance of any act specifically prohibited by statute or rule, when such violation does, may, or is intended to result directly in the profit or enrichment of the violator or any person(s) associated with the violator. The fine for each citation of a Class 1 violation shall be \$100. Class 1 shall include, but without limitation, the following specific violations:

- (a) Employing a device, scheme, or artifice to defraud or deceive in connection with any charitable gaming activity (section 12-9-102.3, C.R.S.; Rule 2);
- (b) Engaging in an act, practice, or conduct constituting fraud or deceit, including any intentional misstatement of fact, in charitable gaming operations (section 12-9-102.3, C.R.S.; Rule 2; Rule 16-3,-6,-7, -14; Rule 17-4);
- (c) Transferring any license issued pursuant to the Colorado Bingo and Raffle Law (sections 12-9-104 (2); 12-9-105.3 (4); 12-9-105.5 (3); 12-9-105.7 (3); 12-9-105.9 (3), and 12-9-106.5, C.R.S.);
- (d) Authorizing or permitting any person(s) other than active members of a licensee conducting games of chance to assist in the management and/or operation of such games (Article XVIII, section 2 (4), Colorado Constitution; section 12-9-107 (1), C.R.S.);
- (e) Conducting more than 158 bingo occasions in one year under color of a single bingo-raffle license (section 12-9-107 (7), C.R.S.);
- (f) Possessing, using, selling, offering for sale or putting into play any computerized or electro-mechanical facsimile of a pull tab game, any pull tab game not purchased from a licensed supplier and accompanied by a complete supplier's invoice; any pull tab game that is marked, altered, tampered, commingled or known to be defective; any pull tab game at any place other than the licensee's own premises or the licensed facility at which the licensee conducts bingo; or any pull tab game that does not conform to the definitions and requirements of title 12, article 9, Colorado Revised Statutes (section 12-9-107 (22), (23), and (24), C.R.S.; Rule 16);
- (g) Permitting any person under the age of eighteen to purchase the opportunity to participate in a game of chance (section 12-9-107 (25), C.R.S.);
- (h) Allowing any person other than a licensee's owner, officer, director, member, ten percent or more shareholder, or licensed agent to represent a supplier, manufacturer, or landlord licensee with regard to any Colorado transaction (section 12-9-107.5 (1) and (3), C.R.S.);
- (i) Except as provided in section 12-9-107 (1) and (4), C.R.S., buying, selling, receiving, furnishing, or distributing games of chance equipment to any person in Colorado other than bingo-raffle, manufacturer and supplier licensees and licensed agents (section 12-9-107.5 (4), C.R.S.);
- (j) Filing any falsified and/or materially misleading quarterly financial statement (sections 12-9-107.5 (5) and 12-9-108 (1) and (2), C.R.S.);

- (k) Authorizing, permitting, or receiving any remuneration or profit for participating in the management or operation of a licensed game of chance (Article XVIII, section 2 (4), Colorado Constitution; sections 12-9-105 (1) and 12-9-107 (1), C.R.S.); and
- (l) Requiring, inducing, or coercing a bingo-raffle licensee to enter into any agreement contrary to the provisions of title 12, article 9 C.R.S. or to purchase supplies or equipment from a particular supplier as a condition of conducting games of chance at a commercial bingo facility (section 12-9-104.5 (2) and (3), C.R.S.; Rule 7)

(3) A class 2 violation is one demonstrating an element of willfulness, in that it involves a licensee's performance of any act specifically prohibited by statute or rule, when such violation is not intended to and does not directly result in the profit or enrichment of the violator. The fine for each citation of a class 2 violation shall be \$75. Class 2 shall include, but without limitation, the following violations:

- (a) Using bingo-raffle equipment not owned or leased by a landlord licensee or owned by a bingo raffle licensee (section 12-9-107 (1) (b), C.R.S.);
- (b) Paying other than reasonable, bona fide, lawful expenses in connection with the conduct of licensed games of chance, purchasing games of chance prizes or equipment at prices exceeding reasonable and usual amounts, or other use of games of chance proceeds for other than the lawful purposes of the licensee (section 12-9-107 (1) (a), (4), and (9) and section 12-9-108 (5) and (6), C.R.S.; Rule 11);
- (c) Converting into or redeeming for cash any bingo merchandise prizes (section 12-9-107 (8), C.R.S.);
- (d) Offering or giving any alcoholic beverage as a prize in a licensed game of chance (section 12-9-107 (10), C.R.S.);
- (e) Giving, receiving, authorizing, or permitting the assistance in the conduct of games of chance of any person(s) disqualified or prohibited by statute or rule from rendering such assistance (sections 12-9-104.5 (6) and 12-9-107 (20), landlords; sections 12-9-105 (2) and 12-9-107 (19), callers/games managers; section 12-9-107.5 (7), manufacturers/suppliers; section 12-9-107 (26), children under 14; Rule 8, security personnel; Rule 10, bingo workers);
- (f) Offering or giving any bingo door prizes or prize(s) exceeding the statutory maximum amounts set for such prizes (section 12-9-107 (13), C.R.S.; Rule 5);
- (g) Reserving or setting aside bingo cards or pull tabs for use by players (section 12-9-107 (27), C.R.S.; Rule 16-12);
- (h) Drawing a check on a bingo-raffle bank account to "cash" or a fictitious payee (section 12-9-108 (3) C.R.S.);
- (i) Authorizing or allowing the play of bingo by a person not present on the premises where the game is conducted, or the play of any game of chance on credit, or without collecting the consideration required in full and in advance (section 12-9-107 (18), C.R.S.; Rule 6; Rule 12-1 and -4);
- (j) Engaging in any act, practice or conduct shown above as a class 1 violation, or that would otherwise be a class 1 violation, when such act or conduct is not intended to and does not directly result in the profit or enrichment of the violator.

(4) A class 3 violation is one that occurs when a licensee omits, fails or neglects to comply with a requirement set forth in the statutes or rules, but that does not involve the affirmative performance of an act specifically prohibited by statute or rule. Class 3 violations shall be deemed negligent, rather than willful, unless a specific violation is repeated within a two-year period and/or the facts of the violation show that the violator knowingly and deliberately failed or refused to comply with a requirement or standard set by statute or rule. The fine for a class 3 violation shall be \$20 unless the violation is repeated or knowing and deliberate, as described above, in which case the fine shall be \$50. Class 3 shall include, but without limitation, the following violations:

- (a) Neglecting to display a license or other document at a time and place where such display is required (sections 12-9-105.3 (4), 12-9-106 (1) and (2), 12-9-106.5 (1), and 12-9-107 (5), C.R.S.; Rules 3, 5, 12-2, 16-1 and-14, 17-2, 18, 20-8);
- (b) Failing to file with the licensing authority any quarterly report, administrative fee, or rental or other document at the time required for such filing or omitting required information on such a filing (sections 12-9-104.5 (8), 12-9-107.5 (5), 12-9-107.7 (2), (3), and (4), and 12-9-108 (1) and (7), C.R.S.; Rules 11-4, 12-7, 15-2 (d) and (e), 16-9, 19, 20-9);

- (c) Failing to keep and/or furnish required records in connection with any licensed activity (sections 12-9-107.5 (6), 12-9-108 (1), and 12-9-109, C.R.S.; Rules 9 and 16-3,-6, -10, -13a, -14b);
- (d) Omitting any required procedure in the conduct of bingo-raffle activities (section 12-9-107 (2), (14), (15), (16), (17), C.R.S.; Rules 1, 12-3 through -6, 13, 14, 15, 16-4, -8, -13b, and -14c-f, and 17-1 and-3);
- (e) Failing to designate an officer responsible for use of games of chance proceeds (section 12-9-107 (3), C.R.S.);
- (f) Neglecting to have a certified games manager present continuously during the conduct of bingo and for thirty minutes after the last game (section 12-9-107 (2) (a), C.R.S.);
- (g) Failing to have games of chance premises or equipment open or available for inspection by the licensing authority or peace officers (section 12-9-107 (6), C.R.S.; Rule 4);
- (h) Failing to deposit and/or maintain all games of chance receipts in a special segregated checking or savings account of the licensee, or to withdraw any funds expended from such account by means of consecutively numbered checks or withdrawal slips signed by officers of the licensee and showing the item for which such check or withdrawal slip is made (section 12-9-108 (3)(a), C.R.S.);
- (i) Omitting a required administrative fee, or portion thereof, at the time of filing of a financial report (sections 12-9-107.5 (5) and 12-9-108 (7), C.R.S.);
- (j) Neglecting to give required notice of the termination of a rental agreement or the cancellation of a bingo occasion (Rules 11-5 and 18);
- (k) Omitting required information from a raffle ticket, if such ticket has been offered for sale or sold without the approval of the licensing authority (Rule 15);
- (l) Incurring any other violation within the class 3 definition but not specifically listed in this Rule 21.

(5) All violations citations shall be in writing, signed and dated, and shall identify the licensee cited; the facts and/or conduct constituting the violation, the specific rule or statutory provision violated, the fine assessed in accord with this Rule 21 and the Bingo Raffles Law, specifically section 12-9-103 (1), C.R.S., and, at least by signature and title or capacity, the individual issuing the citation on behalf of the licensing authority.

(6) Citations may be delivered to the cited licensee, to the attention of its games manager(s) or officer(s) of record with the Secretary of State, either personally or by certified mail.

(7) The licensing authority, for good cause shown, may suspend or reduce any fine imposed pursuant to this Rule 21. Requests for fine suspensions or reductions must be in writing, must be received by the licensing authority within 20 days of the date of the citation imposing the fine, and must state and document with particularity the facts, circumstances, and/or arguments supporting such request.

(8) In accord with section 12-9-103 (1) (a) (II), C.R.S., a licensee may request a hearing to appeal the imposition of a fine to an administrative law judge. Requests for administrative hearing must be in writing and must be received by the licensing authority within 20 days of the date of the citation imposing the fine.

(9) Unless a licensee has submitted a request for a fine suspension or reduction or administrative hearing in accordance with this Rule 21, any fine imposed pursuant to section 12-9-103 (1), C.R.S., and this Rule 21 must be paid within 20 days of the date of the citation imposing such fine. All fines must be paid by check or money order made payable to the Colorado Secretary of State. If the licensing authority denies a request for fine suspension or grants a request or fine reduction, the fine or reduced fine must be paid within 20 days of the date of the notice of denial or reduction. If an administrative law judge finds that an appeal of a fine must be denied, the fine that was appealed must be paid within 20 days of the date of issuance of the findings of such judge.

RULE 22
ASSISTANCE WITH LICENSEE'S GAMES OF CHANCE AS A MEMBERSHIP
REQUIREMENT – CONDITIONS

If a bingo-raffle licensee, as a membership condition or qualification, requires all its active members to assist with its charitable gaming fundraising, such members shall be considered bona fide volunteer workers when operating or assisting with the licensee's bingo-raffle activities if both of the following conditions are met:

- (1) No member shall receive any remuneration, reward, recompense, enhanced membership benefit, or other thing of value, including, but not limited to, any fee, expense, travel, tuition, or other credit that is based on the amount of service or assistance rendered or time spent by such member in the course of operation of any licensed bingo-raffle activity.
- (2) No bingo-raffle licensee shall offer or give to any member an option to pay money or donate any thing of value to the licensee instead of assisting with the licensee's bingo-raffle activities, nor shall a licensee offer or give a reduction in any member's benefits, privileges, or powers as an alternative to that member's assistance with bingo-raffle activities.

RULE 23
AUXILIARIES

For purposes of identifying those members of auxiliary organizations who may participate in the conduct or operation of games of chance activities pursuant to the provisions of the bingo and raffles law, specifically C.R.S. 12-9-107(1)(a), an association or organization shall be deemed to be an auxiliary only if it is subsidiary to another organization; is subordinate to the organization to which it is subsidiary; has as its primary purpose the support and assistance, particularly by donations and volunteer services, of the organization to which it is subsidiary; and is constituted, chartered, governed, or otherwise formally recognized as an adjunct by the organization to which it is subsidiary.

RULE 24
ELECTRONIC DEVICES USED AS BINGO AIDS AND BINGO AID COMPUTER SYSTEMS

- (1) Any Colorado licensed manufacturer of an electronic bingo aid device and computer system may apply for a letter ruling pursuant to C.R.S. 12-9-103(1)(d) by means of a request in writing. The request shall include the manufacturer's name, license number, address, telephone/fax number(s), and e-mail address, if any; the make, model, and description of the bingo aid device and computer system for which approval is sought, and the name and specific contact information for at least one representative of the manufacturer who is available to the licensing authority as an expert on the construction, programming, and operation of the device and system for which approval is sought. Letter ruling requests shall be accompanied by:
 - a) Complete user's manual(s) and prototype(s) of the bingo aid device/system for which approval is sought;
 - b) An affirmation from the manufacturer stating that the manual(s) and prototype(s) submitted do not differ materially from the manual(s), device(s) and system(s) that will be distributed in Colorado after approval of the prototype(s);
 - c) In the case of a bingo aid device, a verified certificate from the manufacturer stating that the device meets all the standards set forth at C.R.S. 12-9-107(29)(a)(II)(A) through (D) and that the device is or can be restricted to allow the play of no more than thirty-six bingo cards per game of bingo, and will be so restricted for Colorado distribution, in accord with C.R.S. 12-9-107(28)(c); and
 - d) In the case of a bingo aid computer system, a verified manufacturer's certificate stating that the system meets all the requirements set forth at C.R.S. 12-9-107(30) (a) through (c), and that the system, if constructed or intended for more than one user, is capable of segregating and securing each user's data in such a manner that each user has unique access to its own data but no user has access on any level to another user's data.
- (2) The licensing authority shall issue a letter ruling regarding an electronic bingo aid device or bingo aid computer system within 45 days after submission of the application for such ruling. For the purpose of

calculating the time period for a ruling, an application shall not be considered to be submitted unless and until it is filed in the office of the Secretary of State complete with all attachments and accompaniments required by the Bingo and Raffle Law and specified in this Rule 24.

(3) If an application for a letter ruling regarding an electronic bingo aid device or bingo aid computer system has been filed in the office of the Secretary of State on or before October 1, 2001, and such device or system was in use in Colorado prior to that date, the device or system may continue to be used within this State unless and until the Secretary of State issues an adverse ruling regarding it. Applications submitted before October 1, 2001, shall be deemed for the purposes of this section 3) of Rule 24 to have been filed on October 1, 2001, and the Secretary of State shall issue a letter ruling regarding any such application on or before November 14, 2001.

(4) No manufacturer shall distribute in Colorado any electronic bingo aid device or bingo aid computer system that differs materially in construction, hardware, software, or operation from a previously approved device or system until such manufacturer has requested and received a letter from the licensing authority approving the differing device or system. Nonfunctional differences in a device or system, including, but not limited to, changes in screen appearance, case color or size, or power supply, shall not be deemed material for purposes of this section 4).

(5) The distribution and use of electronic bingo aid devices and computer systems shall be subject to the following requirements and conditions.

- (a) A bingo-raffle licensee shall notify the licensing authority in writing of the manufacturer, make, model, and description of any bingo aid device or bingo aid computer system the licensee intends to offer for use or put into play on or after October 1, 2001. In the notification, the licensee shall identify by name, address, and license number the manufacturer or supplier from whom any such device or system has been or is to be obtained. On and after November 30, 2001, no licensee shall use or permit the use of any bingo aid device or bingo aid computer system in connection with its licensed bingo activities until at least 10 days after such licensee files the notification required by this subsection a.
- (b) Any contract or agreement between a bingo-raffle licensee and a manufacturer, supplier, or agent concerning the rental, lease, or use of any bingo aid device or bingo aid computer system that is entered into, renewed, or extended on or after October 1, 2001 shall be subject to the following:
 - (i) The initial term and any subsequent term of the contract or agreement shall not exceed one year, and a term may be renewed or extended only by the affirmative consent of the bingo-raffle licensee executed in writing no more than thirty days prior to the expiration of the term; and
 - (ii) The contract or agreement shall be terminated if and when the bingo-raffle licensee ceases to conduct bingo, chooses to conduct bingo without the use of electronic bingo aid devices, or changes the location at which it conducts bingo.
- (c) No person except the licensed agent or representative of the manufacturer of an electronic bingo aid device or bingo aid computer system shall make or attempt to make any alteration in the construction, programming, or internal operation of such device or system or of the games of chance transaction records stored therein.
- (d) The licensing authority shall have access upon request to all bingo aid computer systems in use within the State. The nature of the access shall be such as will enable the licensing authority to audit any system and verify that the system is operated in compliance with the law and rules regulating bingo aid computer systems. The mode of access shall be as approved by the licensing authority and as arranged between or among the licensing authority, the manufacturer of the system, and the bingo-raffle licensee using the system, as appropriate. No system shall be used or put in play at any time when the access described in this subsection c has not been furnished to the licensing authority.
- (e) A bingo-raffle licensee that uses a bingo aid computer system to record, track, or process any bingo transaction during a bingo occasion shall use the system to record, track, and process all bingo transactions occurring during that occasion, without regard to whether such transactions involve an electronic bingo player aid device. A bingo-raffle licensee may use a bingo aid computer system without using, leasing, selling, purchasing, or possessing any electronic bingo player aid device, but may not use, allow the use of, or

distribute to players any electronic bingo aid device without using a bingo aid computer system to record, track and process its bingo transactions at the bingo occasion during which the bingo player aid device is used.

- (f) A bingo-raffle licensee that uses a bingo aid computer system shall back up and preserve its bingo transaction data, together with the data for any other games of chance transactions recorded in the system during the occasion, at the conclusion of each occasion during which the system is used. The data shall be copied and saved to floppy disk, tape, or other removable medium, and kept by the licensee as a required games of chance record for a period of not less than three years from the date of the occasion.
 - (g) A bingo-raffle licensee using a bingo aid computer system that is used or intended for use by more than one person or organization shall be uniquely identified for access to the system by means of a user identification and password, smart card or token, or other method approved by the licensing authority. The method of identification and access shall:
 - (i) Ensure that the bingo-raffle licensee's data is accessible only to the bearer of the licensee's unique identifier, the licensing authority, and the personnel of the system's manufacturer, and
 - (ii) Clearly identify all of and only the licensee's data as belonging to the licensee.
 - (h) Each licensee's identification for access to a bingo aid computer system shall at all times be in the custody and control of designated games manager(s) or officer(s) of the licensee and shall not be released, made known, or transferred to any other person except upon order of the licensing authority or a duly constituted law enforcement agency. Each licensee shall, by and through its officers and games managers, make every reasonable effort to protect, secure and safeguard its unique system identification from disclosure to or use by any other person, and shall report to the licensing authority immediately upon discovery any known or suspected breach or compromise of such protection. When the security of a licensee's user identification has or may have been compromised, the bingo-raffle licensee shall disable such identification for purposes of system access and issue a new identification.
 - (i) No bingo-raffle licensee shall access or attempt to access any bingo aid computer system data that such licensee does not own.
 - (j) No bingo-raffle licensee shall allow a player to use more than one electronic bingo player aid device at any bingo occasion, whether for that player or on behalf of another.
 - (k) No bingo-raffle licensee shall allow the passive play of any game of bingo by means of an electronic player aid device. Any player using such a player aid device shall be required to enter called numbers manually into the device in order to track the status of any card by means of the device. A player who is physically unable to use his/her hands shall be exempt from this prohibition. A vision impaired player may use a device equipped with Braille or raised key designation markings, as long as such device does not differ in any other way from those used by other players at a bingo occasion.
 - (l) The licensing authority, in addition to or in lieu of any other penalties or corrective actions may restrict or prohibit the use of any electronic bingo player aid device or computer system by a bingo-raffle licensee that violates any provision of the law or rules regulating such devices and systems.
- (6) A bingo-raffle licensee using a bingo aid computer system shall comply with all of the reporting, accounting, and record keeping requirements imposed by statute or rule on bingo-raffle licensees generally and, in addition, shall produce and attach to its daily bingo occasion records the report capable of being generated by the bingo aid computer system used by such licensee and approved by the licensing authority as the required daily occasion electronic report for such bingo aid computer system. The report shall show at least the following information:
- (a) The name of the reporting licensee;
 - (b) The date and time of the bingo occasion reported;
 - (c) A description of each transaction processed, including all voids and refunds, that shows:
 - (i) the time the transaction took place,
 - (ii) the quantity, description and price of all cards and sheets, including specials and extras, that were sold, refunded or voided in the course of the transaction, and
 - (iii) the charges for any electronic bingo player aid device furnished in connection with the transaction;

- (d) The manufacturer's identification number (serial number) for all cards and sheets sold in conjunction with an electronic bingo aid device; and
- (e) The total number of electronic bingo aid devices sold, leased, or furnished in connection with the occasion reported and the total charges made for such devices.

RULE 25
GAMES MANAGER CERTIFICATION

- (1) Games manager certificates shall be issued by the Secretary of State, in accord with the provisions of C.R.S. 12-9-105(2) and 12-9-105.1, and each such certificate shall be valid for a term of four years from the date of its issuance.
- (2) No licensee shall conduct any bingo, raffle, or other game of chance activity until and unless at least one of its designated games managers holds a current, valid games manager certificate, has agreed to be responsible for the lawful conduct of such licensee's games of chance activities, and has filed a games manager's oath in the Office of the Secretary of State on a form prescribed by the Secretary of State.
- (3) Games manager certificates shall be either unlimited, and valid for the management of all licensed bingo-raffle activities, or limited, and valid for the management of licensed raffles only.
- (4) No new or renewal games manager certificate shall be issued unless the applicant for the certificate has first successfully completed all such training and testing as the licensing authority requires for new and renewing games managers.
- (5) All existing games manager certificates issued on or before December 31, 1998, shall expire on June 30, 2003, and shall not be valid for the management of any bingo, raffle, or other games of chance activity conducted on or after July 1, 2003.
- (6) All existing games manager certificates issued on or after January 1, 1999, shall expire four years from the date of issuance of each such certificate, and shall not be valid for the management of any bingo, raffle, or other games of chance activity conducted after the lapse of such four-year period.